

Policies within HB 247 would appear to improve Ohio's present state of competitiveness.

First, it would eliminate electric security plans (ESPs). Historically, Ohio's electric utilities have used these plans to inflate rates above the market price. Eliminating these plans would require electric utilities to only charge customers the market price for generation, not an ESP-inflated price. This reform would therefore allow many Ohio households and businesses to save money on their electric bill and put it towards other uses.

Second, it would permit the Public Utilities Commission of Ohio or the courts to issue refunds to customers for charges that are deemed improper. This provision would force the ratemaking procedure to be more transparent and fairer on the front side by ensuring that customers can be fully made whole.

Third, it would restrict monopoly utilities from owning power plants, even through an affiliate company. While eliminating ESPs alone may be able to limit potential cross-subsidization from these relationships, a requirement that electric utilities fully divest their generation assets would guarantee that utility affiliated generation cannot gain an unfair competitive advantage. Further, in light of the millions of dollars of transition revenues that utilities have already collected over the years, such separation is less draconian today than it was in the early days of restructuring.

In all likelihood, requiring owners of generation to be fully independent of any regulated utility would increase the competitiveness of the sector and lead to a more favorable outcome for Ohioans over the long run.<sup>3</sup>

In conclusion, Ohio is in desperate need of greater competitiveness, transparency, and fairness in its electricity market. Reforms such as, or similar to, those in HB 247 would make Ohio a better place to do business and make it easier for low-income individuals to pay their electric bills. Thank you for the opportunity to testify today.

---

<sup>3</sup> Joe Nichols and Devin Hartman, "Don't Short Circuit the Ohio Electricity Market," The Buckeye Institute and R Street Institute, <https://www.buckeyeinstitute.org/library/doclib/2017-10-16-Don-t-Short-Circuit-the-Ohio-Electricity-Market-By-Joe-Nichols-and-Devin-Hartman.pdf>.

**From:** Michalowski, Joe  
**Sent:** Friday, December 15, 2017 11:38 AM  
**To:** Michalowski, Joe  
**Subject:** Becker Co-sponsor Request: Six Right-to-Work Constitutional Amendments  
**Attachments:** Co-sponsor Request- Six Right-to-Work Constitutional Amendments.pdf



Representative John Becker  
Ohio's 65<sup>th</sup> House District

**MEMORANDUM**

**To:** GOP House Members  
**From:** Representative John Becker  
**Date:** Friday, December 15, 2017  
**RE:** Co-Sponsor Request: Six Right-to-Work Constitutional Amendments

---

The following are six separate Right-to-Work related constitutional amendments in no particular sequence. Please join me in co-sponsoring one or more of the below:

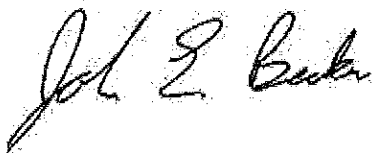
1. Private-sector Right-to-Work – No worker should be required to subsidize a union as a condition of employment. Additionally, this will tell the world that Ohio is “open for business.”
2. Public-sector Right-to-Work – This is about freedom of association. Like for the private sector, no worker should be required to subsidize a union as a condition of employment.
3. Public-sector Prevailing Wage – Repeals the requirement for taxpayers to pay artificially inflated wages, rather than those that are market-based.

4. Public-sector Paycheck Protection – This prohibits state and local government employers from withholding union dues or fees from workers' wages. Additionally, unions will be prohibited from spending workers' money on political activities without workers' consent.
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6. Public-sector Union Recertification – Requires annual reconsideration and recertification of workers' bargaining units. This will open up competition for new bargaining units, will give workers a chance to have their voices heard, and will make union leadership accountable to their membership.

These proposals simply ask the General Assembly to put them on the ballot for the people to vote on them individually. Twenty-eight states and four out of five of Ohio's neighboring states have enacted Right-to-Work laws. Clearly, the nation's future is for all workers to have the right to work free of the burden of mandated union payments as a condition of employment. Ohio is being left behind, and it is time for the people to decide Ohio's future.

If you would like to co-sponsor this legislation or have any questions, please contact Joe Michalowski at (614) 466-8134 or [joe.michalowski@ohiohouse.gov](mailto:joe.michalowski@ohiohouse.gov). Please indicate which constitutional amendment(s) you wish to co-sponsor. **The deadline to co-sponsor is Wednesday, December 20, 2017, at 4:00 P.M.**

Thank you for your time and consideration of this legislation.



John Becker  
State Representative  
65<sup>th</sup> House District

# Ohio House of Representatives



Representative John Becker  
Ohio's 65<sup>th</sup> House District

## MEMORANDUM

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**From:** Representative John Becker  
**Date:** Friday, December 15, 2017  
**RE:** Co-Sponsor Request: Six Right-to-Work Constitutional Amendments

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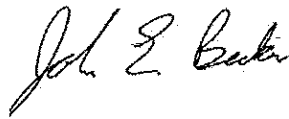
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Thank you for your time and consideration of this legislation.

A handwritten signature in black ink, appearing to read "John E. Becker". The signature is fluid and cursive, with the first name "John" being the most prominent.

John Becker  
State Representative  
65<sup>th</sup> House District

**From:** report@hannah.com  
**Sent:** Monday, December 18, 2017 6:30 PM  
**To:** DL\_Hannah  
**Subject:** Hannah News Stories for Monday, December 18, 2017

**Monday, December 18, 2017**

**IN TODAY'S HANNAH REPORT:**

**Please click here to read the entire Hannah Report.**

**Today's Stories**

- [Kasich Seeks to Give Last 'State of State' in Westerville on March 6](#)
- [Kasich Names Laubert Acting Director of ODA](#)
- [Senate Plans to Address Voting Machine Funding, Obhof Says](#)
- [Controlling Board Approves Combined DYS/DRC Office Lease](#)
- [IG Chides DAS for IT Procurement Practices](#)
- [Becker Proposes Six Right to Work Constitutional Amendments](#)
- [ODH Elevates Flu Level to 'Widespread'](#)
- [Turnpike Commission Approves Budgets, Toll Modernization Plans](#)
- [OSU Toy Adaptation Program Helps Fix Toys for Children with Special Needs](#)
- [By the Numbers: Legislative Activity in 2017](#)
- [State Government Roundup: ODNR](#)
- [Campaign Corner: Jolivet; Endorsements](#)
- [Ohio Digest: U.S. HHS](#)
- [Ohio Attorney General Opinion Request](#)
- [Judicial Actions: Parades; Opinion](#)

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**From:** Ben Husch  
**Sent:** Tuesday, December 19, 2017 3:21 PM  
**To:** Griffin, Lisa  
**Subject:** Tomorrow: An update on REAL ID and next steps for states

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NATIONAL CONFERENCE of STATE LEGISLATURES

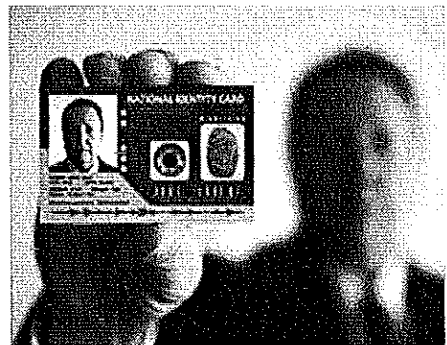
### Upcoming NCSL Webinar

#### REAL ID: An Update from DHS and Next Steps for States

**Wednesday, Dec. 20 at 2 p.m. ET/ 11 a.m. PT**

Full implementation of REAL ID is only one month away. Join NCSL and the Department of Homeland Security for an in-depth discussion on next steps and what states should know as they head into the new year and new legislative session.

**Speaker:** Steve Yonkers, director, REAL ID Program for the Screening Coordination Office in Policy, Department of Homeland Security



**Register Now**



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Washington: 202-624-5400

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**From:** Rep30  
**Sent:** Tuesday, December 19, 2017 4:18 PM  
**To:** Committee\_PublicUtilities\_List\_GOP  
**Subject:** RE: Enclosed PowerPoint Presentation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I respond briefly to my colleague's December 15 memo. Representative Romanchuk can be assured "getting to real business in the new year" does not mean that we are going to pass an unnecessary tax on our constituents, if I have anything to say about it. Nothing in the bills pending before our committee entails any tax whatsoever.

I disagree with his assertion that the PowerPoint presentations that I shared with you from my ALEC winter meeting are inapplicable to Ohio or its electric market. The need for reliable and resilient fuel generation sources is as big an issue here as it is in Texas or anywhere else. Coal and nuclear are reliable and resilient. Abandoning the field solely to volatile market prices for gas (and renewables, which are neither reliable nor resilient) would cause the same problems for Ohio that the experts see emerging in Texas' wholly deregulated generation market. HB 247 would wholly deregulate electric generation markets in Ohio, without any effective method of replacing what some claim to be "an outdated rate mechanism", the electric security plan option that is currently available. Essentially, the state of Ohio would abdicate any ability to ensure a reliable, resilient, and diverse fuel supply and leave that to the federal authorities.

Every one of the three items addressed by HB 247 are important issues to address. "Getting down to real business" means determining whether these issues are being correctly addressed by the bill; collaboratively deciding how better to address them; and respecting the order established by leadership in which energy issues are to be addressed in this session.

Merry Christmas and Happy Holidays.

Bill

---

**From:** Rep02  
**Sent:** Friday, December 15, 2017 1:29 PM  
**To:** Rep30 <Rep30@ohiohouse.gov>; Committee\_PublicUtilities\_List\_GOP <DL\_Committee\_PublicUtilities\_List\_GOP@ohiohouse.gov>; Willamowski, Sheila <Sheila.Willamowski@ohiohouse.gov>  
**Subject:** RE: Enclosed PowerPoint Presentation

Chairman Cupp, GOP Committee Members, Ryan and Sheila,

The presentations regarding the Texas system do not apply to Ohio and our electric market.

HB 247 addresses three items unique to Ohio:

- It eliminates an outdated rate mechanism which is now being used against Ohioans
- It requires refunds to Ohioans if an electric rate has been ruled unlawful
- It prohibits utilities that are in the distribution business from owning electric generation (which mirrors the deregulation legislation passed in 1999-SB3)

**If “getting down to real business in the new year” means that we are going to pass an unnecessary tax on our constituents...NO THANKS.**

Merry Christmas and Happy Holidays,

Mark

---

**From:** Rep30

**Sent:** Wednesday, December 13, 2017 4:40 PM

**To:** Committee\_PublicUtilities\_List\_GOP

<DL\_Committee\_PublicUtilities\_List\_GOP@ohiohouse.gov>; Willamowski, Sheila

<Sheila.Willamowski@ohiohouse.gov>

**Subject:** Enclosed PowerPoint Presentation

Republican Members of Public Utilities Committee, Lehman, Sheila

RE: Enclosed PowerPoint presentation

As we continue to look at the complex electricity issues contained in bills pending before our committee, I commend to your attention the enclosed PowerPoint presentation which, among other things, emphasizes the need for resiliency and reliability in preserving baseload electricity plants and also points out that the Texas wholly deregulated generation market is not all that it is cracked up to be—a cautionary tale lest we attempt to replicate that model, as HB 247 would have us do. Please do not hesitate to contact me with any questions. I hope we can get down to real business in the new year.

**From:** Westlake, Libby  
**Sent:** Wednesday, December 20, 2017 8:39 AM  
**To:** Westlake, Libby  
**Subject:** E-Clips for 12/20/2017

## HOUSE E-CLIPS

12/20/2017

**The Columbus Dispatch**  
*Ohio's Greatest Online Newspaper*

### **REPORT SUGGESTS STATE AGENCY ALREADY HAS VIOLATED NEW CONTRACTING POLICY**

After The Dispatch revealed the Ohio Department of Administrative Services awarded \$15 million in unbid contracts to favored information-technology consultants, the agency promised to clean up its act.

### **NEW WHALEY AD PRAISES WORK, PROMISES JOBS**

Dayton Mayor Nan Whaley has released a new internet ad touting the dignity of work as she seeks the Democratic nomination for governor.

**Dayton Daily News**  
[www.daytondailynews.com](http://www.daytondailynews.com)

### **LEHNER'S BILL AIMS TO CHANGE OHIO TEACHER EVALUATION SYSTEM**

The Ohio Teacher Evaluation System (OTES) could see significant changes if a bill recently introduced by State Sen. Peggy Lehner (R-Kettering) becomes law.

### **STATE SENATOR TO RUN FOR MIAMI COUNTY COMMISSION**

State Sen. Bill Beagle (R-Tipp City) today declared his candidacy for a seat on the Miami County Commission.

## THE ENQUIRER

### **'RIGHT TO WORK' IN OHIO? GOP LAWMAKER WANTS VOTERS TO CHOOSE**

Undeterred by the acrimonious fight over Senate Bill 5, GOP Rep. John Becker wants voters to choose whether Ohio should become a right-to-work state.

**From:** Michalowski, Joe  
**Sent:** Wednesday, December 20, 2017 2:43 PM  
**To:** Michalowski, Joe  
**CC:** Basie, Margaret  
**Subject:** Becker & Riedel REVISED Co-sponsor Request: Six Right-to-Work Constitutional Amendments  
**Attachments:** Becker & Riedel Co-sponsor Request- Six Right-to-Work Constitutional Amendments.pdf

**Importance:** High

### **Representative Craig S. Riedel**

has signed on to all six of these constitutional amendments as a joint sponsor with Rep. Becker.

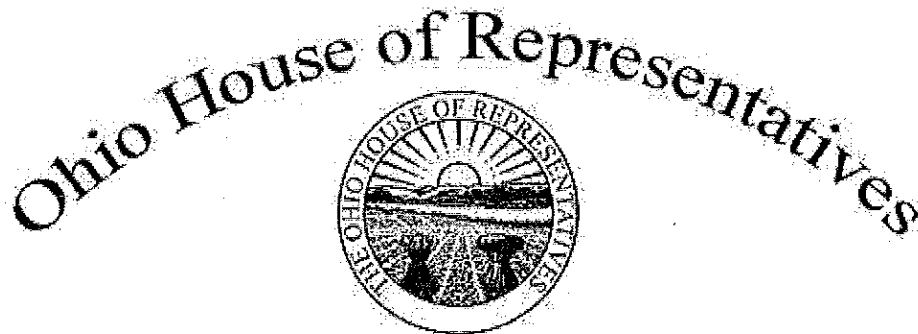
Each of the six amendments would appear on Ohio's general election ballot on November 3, 2020.

The current co-sponsors of all six are: Rep. Thompson, Rep. Brinkman, Rep. Dean, Rep. Keller, Rep. Roegner, and Rep. Zeltwanger. Rep. Lang is a co-sponsor on the following constitutional amendments: private-sector right-to-work (amendment #1); public-sector prevailing wage (amendment #3); and public-

sector project labor agreements (amendment #5).

Rep. Vitale is a co-sponsor on public-sector right-to-work (amendment #2).

**Revised deadline to co-sponsor is TODAY** at 5:00 PM. Please note which constitutional amendment(s) you wish to co-sponsor.



Representative John Becker  
Ohio's 65<sup>th</sup> House District

**Representative Craig S. Riedel**  
Ohio's 82<sup>nd</sup> House District

**MEMORANDUM**

**To:** GOP House Members  
**From:** Representative John Becker and Representative Craig S. Riedel  
**Date:** Wednesday, December 20, 2017  
**RE:** REVISED: Co-Sponsor Request: Six Right-to-Work Constitutional Amendments

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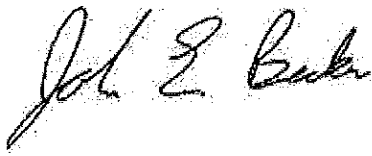
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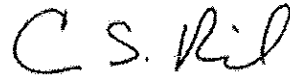
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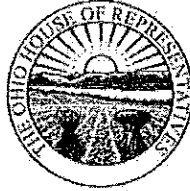
Handwritten signature of John E. Becker in black ink.

John Becker  
State Representative  
65<sup>th</sup> House District

Handwritten signature of Craig S. Riedel in black ink.

Craig S. Riedel  
State Representative  
82<sup>nd</sup> House District

# Ohio House of Representatives



Representative John Becker  
Ohio's 65<sup>th</sup> House District

**Representative Craig S. Riedel**  
Ohio's 82<sup>nd</sup> House District

## MEMORANDUM

**To:** GOP House Members  
**From:** Representative John Becker and Representative Craig S. Riedel  
**Date:** Wednesday, December 20, 2017  
**RE:** REVISED Co-Sponsor Request: Six Right-to-Work Constitutional Amendments

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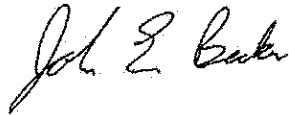
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Thank you for your time and consideration of this legislation.



John Becker  
State Representative  
65<sup>th</sup> House District



Craig S. Riedel  
State Representative  
82<sup>nd</sup> House District

**From:** gongwerreports@gongwer-oh.com on behalf of Gongwer News Service  
[gongwerreports@gongwer-oh.com]  
**Sent:** Thursday, December 21, 2017 12:00 PM  
**To:** Standard\_Subscriber\_misc\_html@gongwer-oh.com  
**Subject:** House & Senate Floor Reports

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## HOUSE ACTIVITY REPORT

### INTRODUCED

**HJR 7**

**UNION MEMBERSHIP (Becker, J., Riedel, C.)**  
Proposing to enact Section 22 of Article I of the Constitution of the State of Ohio to prohibit laws, rules, and agreements that require employees of public sector employers to join or pay dues to an employee organization and to prohibit employee organizations from representing nonmember public sector employees in employment-related matters.

**HJR 8****UNION MEMBERSHIP (Becker, J., Riedel, C.)**

Proposing to enact Section 22 of Article I of the Constitution of the State of Ohio to prohibit laws, rules, and agreements that require employees of private sector employers to join or pay dues to an employee organization and to prohibit employee organizations from representing nonmember private sector employees in employment-related matters.

**HJR 9****PREVAILING WAGE (Becker, J., Riedel, C.)**

Proposing to enact Section 43 of Article II of the Constitution of the State of Ohio to prohibit a public authority from requiring a contractor on a public improvement to pay the contractor's workers the prevailing rate of wages for work performed on the public improvement.

**HJR 10****PROJECT LABOR AGREEMENTS (Becker, J., Riedel, C.)**

Proposing to enact Section 2 of Article XV of the Constitution of the State of Ohio to prohibit certain requirements or prohibitions regarding labor agreements in government contracts.

**HJR 11****COLLECTIVE BARGAINING (Becker, J., Riedel, C.)**

Proposing to enact Section 12 of Article XV of the Constitution of the State of Ohio to subject any public employee collective bargaining representative to an annual election to remain certified as the exclusive representative.

**HJR 12****UNION DUES (Becker, J., Riedel, C.)**

Proposing to enact Section 12 of Article XV of the Constitution of the State of Ohio to prohibit dues and other fees payable to an employee organization

from being deducted from the payroll check of a public employee and to prohibit those dues and fees from being used for political purposes unless authorized by the public employee.

#### **HB 454**

#### **CEMETERY LOTS (Patterson, J., Arndt, S.)**

To require a township to compensate the owner of certain unused cemetery lots and rights which the township reenters after lack of response from the owner.

= A

## **SENATE ACTIVITY REPORT**

### **INTRODUCED**

#### **SB 246**

#### **= A STUDENT REMOVAL (Lehner, P., Manning, G.)**

To enact the "SAFE Act" to revise the procedures for emergency removal of a student, to prohibit certain suspensions and expulsions of students in grades pre- kindergarten through three, to require each public school to implement a positive behavior intervention and supports framework in accordance with state standards, and to make an appropriation.

Please send all correspondence to [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com). This mailbox is not regularly monitored.

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**From:** Gongwer News Service  
**Sent:** Thursday, December 21, 2017 6:08 PM  
**To:** Griffin, Lisa  
**Subject:** Ohio Report, Thursday, December 21, 2017  
**Attachments:** Dec21House.htm; Dec21Senate.htm; 171221dayplan.htm; Dec21.htm

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## OHIO REPORT THURSDAY, DECEMBER 21

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**Speaker Tasks Universities With Engaging High Schoolers Impacted By  
Opiate Epidemic**

**Right-To-Work, Prevailing Wage Proposals Unveiled In House**

**Children Services Agencies See Growing Burden From Drug Crisis;  
Overdose Deaths Tallied**

**House Republican Announces Plan To Crack Down Drug Dealers**

**'Significant Update' On Belmont County Ethane Cracker Slated For 2018**

**Federal Judge Dismisses Property Owners' Lawsuit Against Nexus Pipeline**

**Groups Highlight Economic Impacts Of 'Dreamers' In Push To Restore DACA**

**High Court Green Lights Tax Board To Take Up \$500K NASCAR Appeal**

**Poll Finds Democrats With Big Lead In Generic Congressional Ballots; Bacon Touts Fundraising; Scott Officially Enters District 12 Race...**

## **ACTIVITY REPORTS**

**House**

**Senate**

## **CALENDARS**

**Day Planner**

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## House Activity for Thursday, December 21, 2017

### INTRODUCED

#### **HJR 7** ■

**UNION MEMBERSHIP** (Becker, J., Riedel, C.) Proposing to enact Section 22 of Article I of the Constitution of the State of Ohio to prohibit laws, rules, and agreements that require employees of public sector employers to join or pay dues to an employee organization and to prohibit employee organizations from representing nonmember public sector employees in employment-related matters.

Gongwer Coverage

#### **HJR 8** ■

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Gongwer Coverage

#### **HJR 9** ■

**PREVAILING WAGE** (Becker, J., Riedel, C.) Proposing to enact Section 43 of Article II of the Constitution of the State of Ohio to prohibit a public authority from requiring a contractor on a public improvement to pay the contractor's workers the prevailing rate of wages for work performed on the public improvement.

Gongwer Coverage

#### **HJR 10** ■

**PROJECT LABOR AGREEMENTS** (Becker, J., Riedel, C.) Proposing to enact Section 2 of Article XV of the Constitution of the State of Ohio to prohibit certain requirements or prohibitions regarding labor agreements in government contracts.

Gongwer Coverage

#### **HJR 11** ■

**COLLECTIVE BARGAINING** (Becker, J., Riedel, C.) Proposing to enact Section 12 of Article XV of the Constitution of the State of Ohio to subject any public employee collective bargaining representative to an annual election to remain certified as the exclusive representative.

Gongwer Coverage

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**HJR 12** ■

**UNION DUES** (**Becker, J.**, **Riedel, C.**) Proposing to enact Section 12 of Article XV of the Constitution of the State of Ohio to prohibit dues and other fees payable to an employee organization from being deducted from the payroll check of a public employee and to prohibit those dues and fees from being used for political purposes unless authorized by the public employee.  
**Gongwer Coverage**

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**HB 454** ■

**CEMETERY LOTS** (**Patterson, J.**, **Arndt, S.**) To require a township to compensate the owner of certain unused cemetery lots and rights which the township reenters after lack of response from the owner. Am. 517.073

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## Senate Activity for Thursday, December 21, 2017

### INTRODUCED

#### **SB 246**

**STUDENT REMOVAL** (Lehner, P., Manning, G.) To enact the "SAFE Act" to revise the procedures for emergency removal of a student, to prohibit certain suspensions and expulsions of students in grades pre- kindergarten through three, to require each public school to implement a positive behavior intervention and supports framework in accordance with state standards, and to make an appropriation. Am. 3302.03, 3313.534, 3313.66, 3313.661, 3313.668, and 3319.46 and to enact section 3319.237

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## Daily Activity Planner for Friday, December 22

### Legislative Committees

No legislative committees scheduled.

### Agency Calendar

No agency meetings scheduled.

### Event Planner

No events scheduled.

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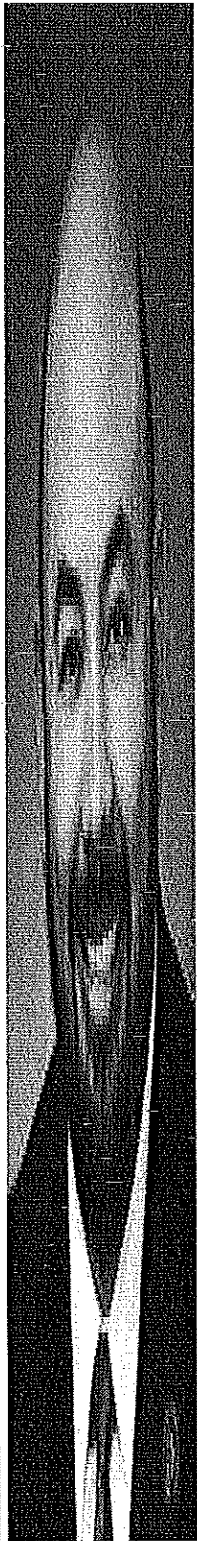
**Volume #86, Report #245 -- Thursday, December 21, 2017**

**Speaker Tasks Universities With Engaging High Schoolers Impacted By Opiate Epidemic**

University presidents are coming together to devise strategies for reaching out to youth impacted by the opiate epidemic.

They're doing so at the request of Speaker Cliff Rosenberger (R-Clarksville), who said he was recently inspired by a group of Waverly City Schools students impacted by addiction.

Many students in that district live with someone other than their parents and lack access to role models who can highlight life skills and opportunities to grow, he said in a recent column.



Speaker Rosenberger

Speaker Rosenberger said he believes universities can serve as the sources of those mentors.

"It's our communities who are going to help us in the drug epidemic, so how can we get college students to be those big brothers and sisters and give them some credit maybe for service-oriented things," he told reporters last week.

Another facet of his charge to universities is to consider how at-risk high school students can volunteer to earn credits toward college tuition, he said.

"Maybe they earn some credit or some dollars toward college credit so that they can have some ability to go out and do something," Speaker Rosenberger said.

Because reaching out to underserved populations dealing with the opiate crisis will be a priority for the legislature in 2018, he said he's eyeing legislation that would implement such mentorship and volunteer programs statewide. (See Gongwer Ohio Report, December 15, 2017)

University presidents began brainstorming immediately after meeting with the speaker earlier this month and will come back together in January to decide which ideas should be proposed, said Bruce Johnson, president of the Inter-University Council of Ohio.

Institutions have an essential role in the state's ongoing fight against opioids, he said, pointing to research that shows Ohioans with college degrees are 14 times less likely to die of overdoses than those who have only high school diplomas.

"One of the fundamental ways to attack opiate abuse in the state is to have a higher percentage of people in the state obtain a higher education," Mr. Johnson said.

"Students, particularly in hard-to-reach areas of the state, having mentors would help them manage their way through the difficulties and find their way to a public university," he added.

In areas of the state where the opiate epidemic has hit hardest, encouraging students to want to go to college is key because they often don't see higher education as a potential pathway, Mr. Johnson said.

"I think the thing that's really going to give students hope is a pathway which involves access to higher education," he said.

For that reason, it's possible the forthcoming plan will propose financial assistance for high school students who participate in a mentorship program and can show perseverance, Mr. Johnson said.

"Earning your way toward a college scholarship would be a great use of the state's resources," he said.

Any legislative proposals that come from the president's recommendations would be in addition to what universities are already doing on the opiate front, he said. Each university has undertaken initiatives to address the issue.

At Ohio University, low-income patients with substance abuse issues can receive free or low-cost treatment and drug dependent mothers-to-be are eligible for access to medication-assisted treatment programs, obstetrical care, social service benefits and other services. Similar services are provided at other university hospitals throughout the state.

Meanwhile, University of Akron is looking to help students who may be dealing with addiction by working with community agencies to develop supports and programming.

In the research realm, the University of Cincinnati recently received a \$1.5 million Third Frontier grant aimed at the epidemic. That total is in addition to \$32 million in research funding that's been awarded to the university to be put toward the cause.

Other universities are offering up their own dollars in an effort to find innovative solutions to the state's drug problem. The new Opioid Innovation Fund at Ohio State University will provide \$1 million in grants to public-private partnerships that develop programs or technologies to reduce the burden of the opiate crisis.

### **Right-To-Work, Prevailing Wage Proposals Unveiled In House**

A slate of ballot proposals targeting labor laws was introduced Thursday in the House, drawing immediate pushback from one of the state's largest union groups.

The six joint resolutions from Rep. John Becker (R-Union Twp.) and Rep. Craig Riedel (R-Defiance) would ban mandatory union dues for both public and private employees, limit prevailing wage and make other changes guaranteed to spark protests among Ohio's unions.

If passed by lawmakers, the issues would be placed on the 2020 ballot for voters to weigh in, according to Rep. Becker. He said he chose the resolution route after his prior legislative efforts went nowhere.

"It has to do with making Ohio more competitive," Rep. Becker said in an interview. "Currently, Ohio is being left behind. Four out of five of Ohio's neighboring states are right to work. With 28 (right-to-work) states in the union, the trend is clearly in that direction."

Two of the resolutions (HJR 7 & HJR 8) would ban any laws, rules or agreements requiring public and private sector employees to join or pay union dues. They would also prohibit unions from representing non-members in employment-related matters.



Other resolutions would:

- Prevent a public authority from requiring a contractor on a public improvement project to pay workers the prevailing rate of wages (HJR 9).
- Forbid certain requirements or prohibitions regarding labor agreements in government contracts (HJR 10).
- Subject any public employee collective bargaining representative to an annual election to remain certified as the exclusive representative (HJR 11).
- Prohibit dues and other fees from being deducted from the payroll check of a public employee and prohibit those fees from being used for political purposes unless authorized by the employee (HJR 12).

Along with Messrs. Becker and Riedel, nine other representatives have signed on as cosponsors of one or more of the resolutions.

Rep. Becker said Republican leaders, House Speaker candidates and Republican gubernatorial candidates have all told him the same thing: If Ohio is to become a right-to-work state, it needs to be a decision driven by voters.

"They've all got this one consistent theme: the voters have to decide," Rep. Becker said. "I'm taking them at their word and saying fine, let's move forward with that. That's what these resolutions would do. They go on the ballot for people to decide."

Brad Miller, a spokesman for House Speaker Cliff Rosenberger (R-Clarksville), said the speaker will review the proposals.

"The issue of right-to-work has been brought forward numerous times in recent years, and it always generates an important and interesting discussion amongst the caucus," Mr. Miller said. "Since Rep. Becker's resolution was introduced just today, Speaker Rosenberger will review the legislation and will seek input from caucus members before any potential future actions are determined."

Tim Burga, president of the Ohio AFL-CIO, said that neither employers nor employees in Ohio are seeking these changes.

"These proposals are a frontal assault on workers," Mr. Burga said. "It does three things: It takes away rights at work, it drives down wages, and it strips workers of their political beliefs. It's really policies that attack the foundation of what's been a catalyst to create Ohio's working class."

Ohio House Democrats will likewise fight the proposals should they gain traction, with Minority Leader Fred Strahorn (D-Dayton) calling them "dangerous, divisive bills."

"Taxpayers expect us to work together to increase opportunity and create jobs with wages and benefits that can sustain a family," Rep. Strahorn said. "These anti-worker, anti-family restrictions will do the exact opposite."

Opponents point to the public's rejection of 2011's Senate Bill 5 - in which voters voted 62-38% to repeal a law that limited collective bargaining for public employees - as evidence that Ohioans don't support such a move. (See Gongwer Ohio Report, November 8, 2011)

For that reason, Gov. John Kasich, commenting on prior right-to-work legislation from Rep. Becker and others, has said right-to-work is "not on my agenda."

But Rep. Becker contends that SB5 (129<sup>th</sup> General Assembly) wasn't truly a right-to-work bill was but more focused on strikes, benefits and union negotiations. In his view, voters haven't weighed in on the issue since 1958 when voters by a 63-36% margin rejected a right-to-work amendment.

Rep. Becker said he approached Rep. Ryan Smith (R-Bidwell) and Rep. Larry Householder (R-Glenford) about supporting the resolutions but neither has signed on at this point as a cosponsor. Both men are vying to succeed Rep. Rosenberger as speaker.

But the sponsor said he believes the measures would have support in the caucus.

"In conversations with plenty of other colleagues beyond those nine (cosponsors) it's a whole lot of, 'We don't want to go on record with it' or 'we want to see which direction it goes,'" Rep. Becker said. "They just don't want to be in front of it right out of the gate. There's a lot of support, it's just not necessarily public."

Mr. Burga, though, said the proposals are a "political assault authored by out-of-state interests."

"It's never a good time to introduce bad policy but again this is an extreme measure without a constituency," Mr. Burga said. "I would say Ohioans deserve better than this. Just like on Senate Bill 5, we will fight these proposals and encourage legislators to work together to find common ground to create jobs and raise wages."

### **Children Services Agencies See Growing Burden From Drug Crisis; Overdose Deaths Tallied**

The opiate epidemic continues to put a strain on Ohio's foster care system, with a thousand more kids expected to spend the holidays in foster care this year compared to 2016, a report released Thursday found.

The Public Children Services Association of Ohio said the drug problem is driving a dramatic surge in demand for foster care, with the number of children in agency custody rising from 12,654 in July 2013 to 15,145 last July.

At this rate, the state would reach 20,000 kids in care by 2020, with the cost of placing them in foster homes and residential facilities rising to more than \$500 million per year.

"We are sounding the alarm now - we need help," PCSAO Executive Director Angela Sausser said in a statement. "We need substantially more state resources before we lose the ability to provide essential services to vulnerable children."

The data indicate increasing rates of growth in the number of children in care, with the total rising from 15,145 on July 1 to more than 15,500 on Oct. 1.

The association pointed to some help it received from the legislature in the budget bill (HB 49), an additional \$15 million. Yet foster care placement costs have increased by about \$45 million since last year, not counting staffing or other agency services, the group said.

"Ohio needs a long-term solution to this crisis - and leadership to get us there before agency budgets collapse and our workforce jumps ship," Ms. Sausser said. "We already have a lack of available foster homes in Ohio. With the projected increases, we will have children sleeping in county agency lobbies with no available foster family to take them in."

Other state efforts include work by Attorney General Mike DeWine's office including a 14-county pilot project designed to help families affected by parental opioid abuse. (See Gongwer Ohio Report, March 24, 2017) Another effort by the AG's office provides more funding for children services agencies to boost the number of foster families available. (See Gongwer Ohio Report, December 20, 2017)

Ms. Sausser pointed to work in California, where that state is realigning services along a continuum of care.

The increase in placements, she said, doesn't include the number of children placed with relatives.

"Placing abused and neglected children with kin leads to better long-term outcomes and is far less costly to government, but it means that grandparents on fixed incomes and aunts with kids of their own must find a way to pay for food, clothes, child care and other expenses," she said. "The legislature stepped up again and provided \$15 million a year in federal funds to create child care assistance for kinship families. However, that program has been delayed."

**Overdose Totals:** In a related development, new data released by the federal government show Ohio with the second-highest rate of drug overdose deaths in the country at 39.1 per 100,000 in 2016.

The numbers released by the National Center for Health Statistics showed Ohio with 4,329 overdose deaths last year, up from the 4,050 reported by the Department of Health in August. (See Gongwer Ohio Report, August 30, 2017)

Ohio's overdose total was exceeded only by those of Pennsylvania, California and Florida.

In terms of the death rate, Ohio's 39.1 per 100,000 ranked behind only West Virginia, which had a rate of 52. New Hampshire was at 39.0, the District of Columbia at 38.8 and Pennsylvania at 37.9.

National totals showed a continued increase in deaths from heroin and other opioids, coupled with a dramatic surge in the number of deaths from synthetic opioids other than methadone. Those deaths totaled 3,105, or 1 per 100,000, in 2013, but rose to more than 19,000, or a rate of 6.2, in 2016.

### **House Republican Announces Plan To Crack Down Drug Dealers**

Drug dealers in Ohio could face much stiffer penalties under a proposal unveiled Thursday.

Rep. Scott Wiggam (R-Wooster) announced plans to introduce legislation that would boost trafficking charges for all Schedule I and Schedule II substances, with the exception of marijuana, to a minimum third-degree felony that carries a mandatory prison term.



Scott Wiggam

"No longer will drug dealers be able to operate in this state with little fear for the law," Rep. Wiggam said during a Statehouse news conference.

While the lawmaker praised the state's effort to combat the drug epidemic, including \$180 million in the two-year budget (HB 49), he said deterrence and accountability are missing, and hopes his bill will provide those two components to the fight.

Over the past four years, he said, overdose deaths have skyrocketed by 212%, while traffickers going to prison fell by 4% over that same time period.

"Ohio's law is too weak to deter drug traffickers from continuing to flood our streets with their products," he said. "Law enforcement officers have grown weary and demoralized from arresting the same criminals for drug trafficking only to see them released into our society with little more than a slap on the wrist."

Wayne County Prosecutor Dan Lutz voiced that frustration. He said a trafficker in his county was recently arrested after knowingly selling heroin mixed with fentanyl that led to a user's overdose death. Among the charges his office brought was involuntary manslaughter, which was later amended to reckless homicide.

Nonetheless, Mr. Lutz said the judge in the case was not pleased with the man being charged for the death of the user and told defense counsel to seek a bench trial, which they did. The individual was eventually found guilty of a single drug trafficking charge.

"Amazingly, he sentenced him to only probation," Mr. Lutz said, adding the man went right back to selling heroin.

The bill will not differentiate between those who are trafficking large amounts of drugs for profit and those who are selling small amounts to support a habit. Mr. Lutz said both are killing people by selling deadly drugs.

"We want to deter that," he said. "We want to make it too costly to do that."

Despite the bill treating addicts and large-scale traffickers the same, Rep. Wiggam said it does not take away from changes in law in recent years that have sought to treat those two groups of individuals differently in the criminal justice system.

"If you are an addict and you are selling, you are still engaged in selling," he said.

As for the impact on the state's prison population, Rep. Wiggam said he is unsure exactly how his legislation will impact the numbers. He added that the Department of Rehabilitation and Correction has yet to take a position on the bill.

But Mr. Lutz said when discussing the state's prison population, the cost-benefit analysis does not take into account the cost savings from not having people on the streets "wreaking havoc."

"Some people need to be locked up in prisons, and these are those people," he said.

Asked about the philosophy of some in the law enforcement community, including Attorney General Mike DeWine, who has repeatedly said the state cannot "arrest its way out" of the drug problem, Mr. Lutz said that attitude needs to change.

"We've got to prevent people from getting on this stuff in the first place," he said.

Mike Brem, president of the Ohio Task Force Commanders Association, likened the battle against opioids to the fight against crack.

"We feel this penalty increase will deter drug traffickers as it did the same way with the crack epidemic in the 80's," he said.

The legislation, dubbed the "Drug Trafficking Deterrence Act," has 18 co-sponsors, according to Rep. Wiggam.

The bill also has the backing of the Ohio Prosecuting Attorneys Association, the Buckeye State Sheriffs' Association, the Ohio Association of Chiefs of Police and the OTFCA, Rep. Wiggam said.

### **'Significant Update' On Belmont County Ethane Cracker Slated For 2018**

A Thai petrochemical company now says it will have news on whether it plans to move forward with a proposed world-class ethane cracker plant sometime after the new year.

PTT Global, Gov. John Kasich and JobsOhio leaders in 2015 announced at a Statehouse press conference that the company - Thailand's largest petrochemical and refining company - was eyeing Belmont County for the \$6 billion plant. (See Gongwer Ohio Report, April 22, 2015)

A final investment decision was initially expected in 2016 but was then pushed to 2017. Last February, the company announced it would postpone a final decision until late 2017 but with January drawing near the lack of recent news has kept locals hoping for an announcement in suspense. (See Gongwer Ohio Report, February 17, 2017)

On Thursday, the company foreshadowed a "significant update" sometime early next year.

"PTTGC America will have a significant update that will demonstrate momentum for this project early in 2018," the company said. "We thank all Ohio and Belmont County partners for their support, and we wish you a happy holiday season."

The last news of the project came in October, when JobsOhio and PTT representatives met in Washington D.C. to ink a memorandum of understanding. In the MOU, the parties agreed to establish a community infrastructure development plan after a final investment decision has been reached. (See Gongwer Ohio Report, October 6, 2017)

Asked about the project's status, JobsOhio spokesman Matt Englehart said talks are ongoing.

"While a final investment decision has not yet been made, PTTGCA continues to collaborate with JobsOhio and local partners while investing time and resources to move this project forward," he said.

JobsOhio and the Kasich administration have touted the potential project as a boon for region that will draw in jobs and economic revitalization.

The company had committed to a \$100 million investment as it considers the move and earlier this year purchased 168 acres from FirstEnergy for the site to the tune of \$13.8 million.

Despite that, the potential development of similar plants in nearby West Virginia and Pennsylvania subsequent to PTT's 2015 announcement has sparked speculation from those not involved in the talks regarding the Belmont County project's future.

### **Federal Judge Dismisses Property Owners' Lawsuit Against Nexus Pipeline**

A federal district court judge has tossed out a lawsuit from dozens of Ohio property owners seeking to halt work on the Nexus Pipeline.

But it's hardly the only lawsuit targeting the construction of the \$2 billion, 255-mile natural gas pipeline that's yet to be resolved.

In May, 39 households - comprising 65 individuals - sued the company and the Federal Energy Regulatory Commission in an effort to halt the project.

The property owners said the company is improperly using eminent domain and argued FERC has failed to provide adequate information to homeowners regarding their options. (See Gongwer Ohio Report, May 15, 2017)

A magistrate in August issued a recommendation that the court deny plaintiffs' motion, opining that without formal FERC approval the court lacks adequate jurisdiction. (See Gongwer Ohio Report, August 8, 2017)

Weeks later, FERC approved the project, which Nexus argued in court filings made the lawsuit moot. Construction was then authorized to begin in October after several preconstruction conditions were met. (See Gongwer Ohio Report, October 13, 2017)

Judge John Adams agreed with the magistrate and his ruling this week from the U.S. District Court for the Northern District of Ohio adopts the magistrate's prior recommendation in its entirety.

Plaintiffs may now appeal to the U.S. Sixth Circuit court of Appeals. That's the same court that late last month voted 2-1 to stay construction on an eight-mile stretch of the pipeline through the city of Green. (See Gongwer Ohio Report, November 27, 2017)

Green is one of several localities - with others including Oberlin, Bowling Green and Medina - that have protested the project.

Green's lawsuit argues the Ohio Environmental Protection Agency granted the project a 401 certification improperly because the agency was not provided with practicable alternative routes with a smaller adverse environmental impact.

Sierra Club had also sued FERC over the pipeline's status, pressing D.C. circuit court to require FERC to rehear the case. But the group was forced to petition for the case to be dismissed after the landowner at the heart of the complaint agreed to sell land to Nexus for the project.

### **Groups Highlight Economic Impacts Of 'Dreamers' In Push To Restore DACA**

If Congress doesn't act to continue the Deferred Action for Childhood Arrivals program, Ohio could lose out on as much as \$12 million per year in tax revenue, according to a new report.

That total is how much the 9,000 Ohioans who are eligible for the program are currently paying in taxes, Policy Matters Ohio reported Thursday. All would be lost, however, if the protections for immigrants who are working and attending school are eliminated and those so-called Dreamers are deported.

If those same individuals stay in the state without DACA, many would likely take on lower-wage jobs, resulting in an estimated \$5 million tax revenue loss, the think tank said. About 4,000 Ohioans are actually participating in the program.

"Allowing DACA protections to expire would really hurt Ohio but passage of a Dream Act could boost out long-term economic output," Daniel Ortiz, outreach coordinator for Policy Matters Ohio, said in a conference call with reporters.

If Congress acts to reauthorize the program that was nixed by the Trump Administration in September, the state's gross domestic product could see a long-term annual impact of \$92 million, Mr. Ortiz said, citing Center for American Progress estimates.

Ohio's GDP could increase by more than \$300 million annually if half the eligible Dreamers earn college degrees to obtain permanent residence, he said.

"The Dream Act would put these young immigrants on a path to pay their taxes like everyone else and really could facilitate open participation in our communities," Mr. Ortiz said.

U.S. Sen. Sherrod Brown (D-Cleveland) has said he's working with Republicans on a bill that would continue protections for the children of illegal immigrants, however those who are impacted by and supportive of the program say Congress can't move quick enough. (See Gongwer Ohio Report, December 20, 2017)



If a continuation or replacement isn't approved by March 5, as many as 1,200 Dreamers per day throughout the country will see their DACA authorizations expire, Mr. Ortiz said. Under the administration's plan, those who are currently part of the program will be sheltered until their permits expire or up to two years, whichever comes first.

Elvis Saldias, a DACA recipient who lives in Columbus, said his permit expires in about six months and he's not legally permitted to continue working as a property claims adjuster if his authorization lapses by even one day.

The recent Ohio State University graduate who came to America from Boliva more than 15 years ago said he would also no longer be able to continue mentoring the state's youngest immigrants attending Columbus Global Academy.

"I need to continue doing what I'm doing," he said, adding: "I can't imagine the urgency behind those (whose authorizations) have already expired."

Mr. Saldias told reporters the DACA application process, which includes an extensive background check, takes about five months from start to finish - another reason legislation needs passed as soon as possible.

"If they pass a bill today, it doesn't mean we're going to get our renewed DACA...in the mail," he said.

Lynn Tramonte, Director of America's Voice Ohio, called the DACA rescission a crisis, saying Congress can't wait until it's up against the March deadline to make a decision.

"The deadline was September," when the administration stalled the program, she said on the conference call. "People became ineligible suddenly overnight and were unable to apply. Those qualified for renewal were cut off. It's a crisis and...it has really impacts on everybody's lives."

Calls for quick action are growing louder for DACA to be Congress's next order of business now that it's finalized a tax overhaul and appears headed for a Friday vote on another stop-gap funding bill to prevent a government shutdown.

On Wednesday, Gov. John Kasich joined 10 other governors in asking Congress to quickly find a bipartisan solution to the issue. About 800 colleges and universities in the country, including a handful from Ohio, have also pressed for a resolution. (See Gongwer Ohio Report, December 20, 2017)

U.S. Sen. Portman (R-Terrace Park) has said there is an interest in reinstating DACA into permanent law, but it may come with some parameters, such as a workforce enforcement program.

The Federation for American Immigration Reform, which backed President Trump's longtime plan to end the program and leave its future up to Congress, has also said

DACA's recession opens to the door to create a larger immigration strategy that could include building a southern border wall and defunding sanctuary cities.

"Congress should seize this opportunity to come together and forge these much-needed reforms in our nation's immigration policy," the group said in a statement.

### **High Court Green Lights Tax Board To Take Up \$500K NASCAR Appeal**

The Board of Tax Appeals erred in dismissing an appeal filed by NASCAR, the Ohio Supreme Court ruled Thursday.

In a 6-1 per curiam decision, the court sided with the Florida-based company by finding that the BTA has jurisdiction to hear an appeal even when the notice is filed by an individual not licensed to practice law in Ohio on behalf of a taxpayer with authorization.

The decision hinged on a 1980 ruling in *Jemo Assoc., Inc. v. Lindley* in which the court found that any authorized agent may file an appeal on behalf of a taxpayer, even if doing so amounts to the unauthorized practice of law, the court's media arm reported.

After conducting an audit for tax years 2005 to 2010, the Department of Taxation in 2012 determined NASCAR failed to pay the Commercial Activity Tax for broadcasting its product in Ohio.

The company was assessed \$549,520, but filed a petition for reassessment with the tax commissioner, who affirmed the finding.

NASCAR then took its case to the BTA. But because its notice of appeal was filed by a Florida attorney not licensed to practice in Ohio, the BTA dismissed the case.

The high court, however, found that the BTA was wrong to do so.

"In this case, there appears to be no dispute that NASCAR authorized Bowen to file the notice of appeal to the BTA," the court wrote in its decision. "So under (state law) and *Jemo*, the notice of appeal filed by Bowen properly invoked the BTA's jurisdiction. Therefore, the BTA erred in dismissing NASCAR's appeal for lack of jurisdiction."

Justice Patrick Fischer was the lone dissenting voice in the case. He cited the 1997 high court case of *Sharon Village Ltd. V Licking Cty. Bd. of Revision*. In that case the court found that non-attorneys cannot file property value complaints on behalf of corporate taxpayers.

"I would hold that barring a statutory exception, when an appeal to the BTA is filed by a non-attorney, the non-attorney has engaged in the unauthorized practice of law and the BTA does not, therefore, have jurisdiction to hear the appeal," he wrote. "The nonbinding plurality opinion in *Jemo* does not conclude otherwise, and even if it could be read to do so, in light of *Sharon Village*, it has been superseded. For these reasons, it was neither

unreasonable nor unlawful for the BTA to follow *Sharon Village* and its progeny and to not follow *Jemo*."

**Poll Finds Democrats With Big Lead In Generic Congressional Ballots; Bacon Touts Fundraising; Scott Officially Enters District 12 Race...**

A new poll released jointly Thursday by Morning Consult and POLITICO has ominous signs for Republicans heading into 2018.

The poll found that Democrats hold a 10-point lead over Republicans on generic midterm ballots, with 44% respondents indicating they would vote for a Democrat in November compared with 34% who said the same about a Republican.

That is an increase from the prior week when 41% of respondents said they would vote for the Democratic candidate. Republicans polled at 36% last week.

The poll also recorded the highest "wrong direction" mark since mid-October, with 63% of respondents saying they believe the country is headed in the wrong direction.

Another finding was that Republicans may be on the wrong side of the net neutrality debate, with 49% saying that repeal was the wrong decision and just 21% saying it was the right decision.

One of the few bright spots for Republicans in the poll is that enthusiasm is higher on their side, with 64% saying they are motivated to vote in 2018, compared to 56% of Democrats.

**Fundraising Numbers:** Sen. Kevin Bacon (R-Minerva Park) took to Twitter Thursday to tout fundraising numbers for his bid to replace U.S. Rep. Pat Tiberi (R-Galena).

"Great fundraising results this week! We have \$120,000.00 in commitments and we begin collecting them Jan 2," he wrote.

**Scott Announcement:** On the Democratic of the 12<sup>th</sup> Congressional District Race, former Franklin County Sheriff Zach Scott formally announced his candidacy for the seat.

"I'm proud of the service and peace of mind I have provided to victims and their families over the past thirty years. Making communities safer by putting dangerous criminals behind bars while helping countless nonviolent offenders get their lives back on track hasn't just been my job - it's been my passion," he said.

"Now I'm going to take that same passion to Congress, where I will get laws passed that put our families and our communities first. Unfortunately, we have all seen too many Washington politicians who are more concerned with serving themselves than serving

the public. All too often, Congress caters to powerful special interest groups while the pressing needs of everyday working families fall through the cracks."

**Opioid Crisis:** In light of a lawsuit filed against the pharmaceutical industry by Summit County and a report showing overdose deaths in Ohio increased by 24% in 2016, Rep. Tavia Galonski (D-Akron) called on drug manufacturers to take responsibility for their role in the opioid epidemic.

"Ohio's opioid epidemic is the result of a myriad of issues," she said. "The key players need to be held accountable and unfortunately, one of the largest is the pharmaceutical industry. By not being clear about the addictive properties of opioids, they have put Ohioans at risk for addiction. I believe this lawsuit is an excellent response to help hard working families needing a helping hand."

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Click the  after a bill number to create a saved search and email alert for that bill.

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**From:** Westlake, Libby  
**Sent:** Monday, January 8, 2018 9:39 AM  
**To:** Westlake, Libby  
**Subject:** E-Clips for 1/8/2018

## HOUSE E-CLIPS

1/8/2018



### **OHIO BANS SALE OF DOZENS OF INVASIVE PLANTS UNDER NEW RULES**

Ohio has banned the sale of more than three dozen invasive plant species under new rules that took effect Sunday.

### **PROPOSED OHIO LAW WOULD PREVENT FORCED NURSE OVERTIME**

A shortage of nurses in Ohio has prompted a state lawmaker to propose a law that would ban hospitals from requiring nurses to work overtime.



### **JOSH MANDEL QUITTING US SENATE CHALLENGE OF SHERROD BROWN SEAT**

Because of an unspecified health issue involving his wife, Ohio Treasurer Josh Mandel is dropping out of the race to challenge Democratic U.S. Sen. Sherrod Brown.

### **KASICH SETS PRIMARY FOR TIBERI SEAT FOR MAY 8; SPECIAL ELECTION ON AUG. 7**

Ohio Gov. John Kasich has set the elections in which voters will determine who will be nominated — and ultimately serve — the remainder of the term of resigning U.S. Rep. Pat Tiberi.

### **OHIO GRADUATION REQUIREMENTS MIGHT BE SOFTENED FOR CLASSES OF 2019 AND 2020**

The Ohio Board of Education is expected to urge lawmakers next week to back off tougher new requirements to graduate high school for at least another two years.

### **TAYLOR STAYS FIRM WITH GOVERNOR RUN; RENACCI REPORTEDLY CONSIDERING BID FOR SENATE**

Lt. Gov. Mary Taylor plans to stay the course with her run for the Republican gubernatorial nomination and will not seek to replace Josh Mandel in the GOP quest to unseat Democratic Sen. Sherrod Brown this year.

### **38 SPECIES OF INVASIVE PLANTS NOW ILLEGAL TO SELL IN OHIO**

Ohio is taking a swing at nature's bullies.

### **ECOT CASE PROMPTS CALLS FOR BETTER RULES TO VERIFY STUDENT**

#### **ENROLLMENT**

As the Ohio Supreme Court prepares to hear arguments in ECOT's lawsuit regarding repayments for unverified students, some legislators say it's time for more clarity.

### **TOP OHIO HOUSE GOP AIDE LEAVING FOR CAMPAIGN ROLES**

After 15 years in the Ohio House, having worked his way up from low-level page to chief of staff for the speaker, Mike Dittoe is stepping down.

### **OHIO PURGE OF VOTER ROLLS GETS SUPREME COURT SCRUTINY THIS WEEK**

To the state of Ohio, it is nothing more than a housekeeping device to keep the voting rolls up to date.

### **OHIO SCHOOL DISTRICTS ANXIOUS FOR REFUNDS FROM ECOT'S \$60 MILLION**

#### **REPAYMENT**

The checks are not yet in the mail, but they will be coming.

### **WILL 2018 BE THE YEAR OF THE WOMAN? SIGNS POINT TO YES**

On any given year, EMILY'S List — the Democratic organization that recruits pro-choice women to run for office — draws the interest of a few hundred women thinking of running for office.

### **EDITORIAL: LEGISLATURE FAILED OHIO CONSUMERS**

The Ohio legislature's blinkered priorities and pandering to industry interests is made plain in its failure to end the abusive practices of "submetering," which forces more than 28,000 households in central Ohio alone to pay heftier electricity and water bills.

## **Dayton Daily News**

[www.daytondailynews.com](http://www.daytondailynews.com)

### **GROUP PUSHING BALLOT MEASURE TO INCREASE REGULATION OF PUPPY MILLS**

Following a dramatic showdown between animal rights groups and agriculture heavy weights seven years ago, Ohio struck a deal to bring about sweeping reforms for how farm animals are handled.

### **ARE YOU OWED MONEY? OHIO'S UNCLAIMED FUND HITS \$2.6 BILLION**

Now that the holidays are over and the credit card bills are due, it might be a good time to check to see if the state of Ohio is hanging onto any money you forgot about.

### **ARE OHIO'S LICENSING RULES OUT OF WHACK?**

It takes nearly a year of training to become a licensed barber in Ohio, but one can become an advanced emergency medical technician — with the ability to administer narcotics — in less than six weeks.

## **THE PLAIN DEALER**

### **JOSH MANDEL DROPS OUT OF THE SENATE RACE**

Republican Ohio Treasurer Josh Mandel announced Friday his withdrawal from the race for U.S. Senate.

### **JEFF JOHNSON, FORMER CLEVELAND COUNCILMAN, PLANS TO CHALLENGE OHIO SEN. SANDRA WILLIAMS IN MAY PRIMARY**

Jeff Johnson, just days after leaving office as a Cleveland council member following an unsuccessful run for mayor, says he plans to challenge Ohio Sen. Sandra Williams in the May Democratic primary.

### **WHAT ATTRIBUTES SHOULD A HIGH SCHOOL GRADUATE HAVE? IT'S NOT JUST THE "THREE R'S" ANYMORE**

What should a high school graduate look like in Ohio?

### **OHIO STILL HAS A POLITICAL GENDER GAP, BUT NOT IN THE RACE FOR GOVERNOR: A WOMAN'S PLACE**

Betty Sutton knows what it's like to be the only female politician in a room full of men.

### **VOTING IN OHIO MATTERS - LOOK AT THE 141 TIES AND ONE-VOTE RACES IN THE LAST FIVE YEARS: THOMAS SUDDER**

Ohio's neighboring-state once-removed, Virginia, showed last week why every vote counts in American elections.

## **THE ENQUIRER**

### **JOSH MANDEL'S SHOCKING EXIT HAS REPUBLICANS CONCERNED. AND THEY DON'T HAVE MUCH TIME TO REPLACE HIM.**

Minutes after Republican U.S. Senate candidate Josh Mandel quit the race Friday afternoon, reality set in for Republicans.

## **THE BLADE**

*One of America's Great Newspapers*

### **REPUBLICAN LAWMAKERS PUSH TO MAKE OHIO "RIGHT TO WORK"**

More than six years after voters resoundingly rejected similar proposals at the polls, a package of proposed constitutional amendments have been introduced to make Ohio the 29th state to enact "right to work."

### **OHIO VOTERS WILL HAVE MULTIPLE CANDIDATES TO CHOOSE FROM IN 2018**

Ohio faces a mixed bag of political races this year, with contests ranging from governor all the way down to local judgeships and leadership of the Lucas County Republican Party.

### **EDITORIAL: OPIOID AID FOR OHIO'S TOWNS**

Ohio, especially small-town Ohio, is now enduring a sociological and budgetary perfect storm.



**From:** Ohio House Republican Communications  
**Sent:** Tuesday, January 9, 2018 11:14 AM  
**Subject:** GOP Week in Review 12/31/17 - 1/7/18



## OHIO HOUSE OF REPRESENTATIVES

*Majority Communications Department*

### **GOP Week in Review**

12/31/17 – 1/7/18

**WKSU: Ohio's Year in Review 2017: Changes to education policy**

"Looking back, basically a time of transition and a time of starting to listen to what's going on in the field and starting to implement common-sense reforms as opposed to just mandates that people can't necessarily comply with," Brenner said.

**Sandusky Register: Busy year for Shores & Islands**

In April we were proud to provide support to the governor's office, city of Sandusky, Cedar Point, state Sen. Randy Gardner, state Rep. Steve Arndt, TourismOhio and others in hosting the governor's State of the State address at the Sandusky State Theatre.

**The Advertiser-Tribune: SRPC, elections board ready to go**

Reineke presented an Ohio flag and a U.S. flag that were flown over the state capitol building Dec. 19 as a gift to the elections panel. "I'm very happy to be here," he said. "We've all got to keep working together to make great things happen."

**WOSU: Ohio lawmaker pushes for harsher penalties for parolees who fail drug tests**

Republican state Rep. Niraj Antani, the bill's sponsor, wants to create more access to treatment facilities and says jails should not be used as detox centers. "But until that time, jail is simply the best place for someone to detox and to be safely placed if they are (using) heroin and fentanyl - until we can figure out something else for them," Antani said.

**Mansfield News Journal: Community honors law enforcement with 'Spread the Light'**

The evening ended with state Rep. Mark Romanchuk, R-Ontario, counting down to officers switching on the lights and sirens in more than a dozen police vehicles to officially "spread the light" and start the week.

**Associated Press: Proposed Ohio law would prevent forced nurse overtime**

State Rep. Robert Sprague, a Findlay Republican, said he's concerned that exhausted nurses working long hours can lead to preventable medical errors. "It's a recipe for problems," Sprague told The Dayton Daily News.

**Findlay Courier: Sprague bill would ban forced nurse OT**

A bill introduced in the Ohio House by state Rep. Robert Sprague, R-Findlay, would prohibit hospitals from requiring a registered nurse or licensed practical nurse to work overtime as a condition of employment.

**Wilmington News Journal: Guest column from Speaker Cliff Rosenberger: Buckeye Pathway guides policy**

This member-driven document outlines our priorities and serves as a roadmap to three objectives: improve Ohio's economic environment, enhance opportunities for all Ohioans, and strengthen families and communities. Halfway through this term, we have approved more than 30 bills that align with these principles.

**Toledo Blade: Republican lawmakers push to make Ohio "right to work"**

The resolutions are sponsored by state Rep. John Becker (R., Cincinnati) and state Rep. Craig Riedel (R., Defiance). ... "It's not so much that I'm opposed to unions," Mr. Riedel said. "I believe strongly that employees ought not to be required to pay fair-share fees if they choose not to join that union. If that individual chooses not to be a part of that union, they're on their own. They would not get any representation whatsoever by that collective-bargaining agreement."

**Your News Now: HB 336 plans to help Ohioans with suspended licenses**

"This would help reduce the number of suspensions the bureau has to keep track of, it would also provide an incentive for a person to get insurance, get their license reinstated, and be able, if you're not able now to find a job because of lack of transportation, to be able to do that," said Rep. Bob Cupp, 4th District Rep for the State of Ohio.

**From:** report@hannah.com  
**Sent:** Tuesday, January 23, 2018 8:29 PM  
**To:** DL\_Hannah  
**Subject:** Hannah News Stories for Tuesday, January 23, 2018

**Tuesday, January 23, 2018**

**IN TODAY'S HANNAH REPORT:**

**Please click here to read the entire Hannah Report.**

**Today's Stories**

- [GOP, Dems Pursue Redistricting Deal; Critics Blast SJR5 in Hearing](#)
- [ECOT Appeals Shutdown; Hearing Officer Backs ODE Again; Legislators Criticize Agency](#)
- [Lawmakers Aim to Place 'Right-to-Work' Measures on 2020 Ballot](#)
- [OCC, OSU Economist Slam Electric Security Plans, Praise HB247](#)
- [Witnesses Tell Committee Bail Reform Is Needed](#)
- [Portman Addresses Reopening of Government, Reauthorization of CHIP, Imposition of Tariffs](#)
- [Trooper's Search of Detained Suspect's Purse Unconstitutional](#)
- [State Government Roundup: Cold Case](#)
- [Campaign Corner: 90th House District](#)
- [Judicial Actions: Opinion](#)
- [Executive Actions: Appointments](#)
- [Legislative Schedule Changes](#)

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**From:** Westlake, Libby  
**Sent:** Wednesday, January 24, 2018 8:52 AM  
**To:** Westlake, Libby  
**Subject:** E-Clips for 1/24/2018

## HOUSE E-CLIPS

1/24/2018



### **STATE MIGHT SEEK \$19M MORE BACK FROM CLOSED CHARTER E-SCHOOL**

The giant Ohio online charter school that abruptly closed mid-school-year lost another round of its multifaceted battle with the state over funding but said Tuesday that it's still fighting to reopen, even as many of its 12,000 students are looking for new schools.

### **LAWYERS: JURIES, NOT JUDGES, SHOULD IMPOSE DEATH SENTENCES**

Ohio's capital punishment law is unconstitutional because judges, not juries, impose death sentences in contrast to the 6th Amendment right to a jury trial, lawyers for a convicted killer argued before the state Supreme Court on Tuesday.



### **DEMOCRATS TUSSLE OVER ECOT CAMPAIGN MONEY, BUT GOP GOT FAR MORE**

As Ohio's big bet on a big online charter school fizzles, candidates are pointing fingers over the \$2.1 million in campaign money the school's operator has doled out during the past two decades.

### **COLUMBUS LAWMAKER'S PROPOSAL WOULD ALLOW PHYSICIAN-ASSISTED**

#### **SUICIDE IN OHIO**

Lisa Vigil Schattinger wants terminally ill Ohioans to have the option chosen by her stepfather, who said his piece and then made peace with impending death from bone marrow cancer.

### **GOP LAWMAKERS, CHRISTIAN ALLIANCE, DEFEND ECOT; STATE SAYS SCHOOL PRIORITIZED PROFIT**

Arguing that that Gov. John Kasich and the Ohio Department of Education should have kept ECOT open through the end of the school year, a handful of Republican lawmakers Tuesday defended the school and urged changes to stop a future shutdown in the middle of the school year.

### **RIGHT-TO-WORK WOULD HELP OHIO WORKERS, GOP LAWMAKERS SAY**

A pair of Republican lawmakers said their proposal to put six right-to-work amendments on the 2020 ballot would help Ohio workers.

#### **LAWMAKERS TAKE BABY STEPS TOWARD REDISTRICTING COMPROMISE**

A whiff of progress on congressional redistricting could be permeating the Statehouse.

#### **O'NEILL TELLS DEMOCRATIC PARTY TO VET HIM AFTER PAYING OFF TAX LIENS**

Gubernatorial candidate William M. O'Neill is asking the Ohio Democratic Party to vet him after paying \$4,361 in past-due state income taxes.

#### **ECOT APPEALS SPONSOR'S DECISION THAT SHUT SCHOOL**

Shuttered online giant ECOT is not giving up efforts to keep the school open through the end of the school year.

#### **EX-TIBERI AIDE TO JOIN DEWINE'S STAFF**

Breann Gonzalez, a longtime aide to Rep. Pat Tiberi, R-Genoa Township, is joining the staff of Ohio Attorney General Mike DeWine.

#### **EDITORIAL: OHIOANS WANT REAL REDISTRICTING REFORM**

Ohio House Republicans' proposed congressional boundary-drawing "reform" is a cynical exercise in damage control.

## **Dayton Daily News**

[www.daytondailynews.com](http://www.daytondailynews.com)

#### **MIAMI TWP. TRUSTEE: STATE WAGE LAW 'DISCRIMINATORY,' WASTING MILLIONS**

A Miami Twp. trustee is asking the state to pay for the costs of what he called an unfunded mandate that is "most discriminatory" and that he said wastes millions of dollars across Ohio.

#### **DOCTOR-ASSISTED SUICIDE BILL COMING TO OHIO STATEHOUSE**

Nearly three decades after Jack "Dr. Death" Kevorkian pushed doctor-assisted suicide into the national spotlight, state Sen. Charleta Tavares says it's time that Ohio legalize the practice with strict safeguards in place.

#### **ECOT APPEALS IN FIGHT TO STAY OPEN; EMAILS SHOW STATE FIGHT**

The Electronic Classroom of Tomorrow on Tuesday announced it is appealing the decision of its sponsor, the Educational Service Center of Lake Erie West, to close the embattled online school.

#### **OHIO LOOKING TO CHANGE BAIL SYSTEM, FOCUSING LESS ON MONEY**

The ACLU of Ohio says a plan to shift courts away from using cash-bail systems is a good start but doesn't go far enough to fix the broken system.

#### **'ON ITS LAST LEGS': WHY ELECTION BOARDS ARE SEEKING NEW VOTING MACHINES**

Voting equipment in many Ohio counties, including Butler County, is becoming obsolete as replacement parts are more difficult to obtain and software continues to age.

## **THE PLAIN DEALER**

### **'RIGHT TO WORK' COULD BE ON THE BALLOT IN OHIO WITH SUPPORT FROM LAWMAKERS**

Supporters of "right to work" legislation are taking a different route to enact changes critics say would unnecessarily weaken unions in Ohio.

### **SHOULD ECOT FOUNDER PAY MONEY BACK FASTER? STATE AUDITOR DAVE YOST SAYS YES WHILE SCHOOL FLOATS NEW PLAN**

ECOT founder William Lager and two companies he owns have paid more than \$5 million back toward the \$80 million enrollment and state aid fight the online charter school is having with the state.

### **OHIO AMONG NORTHERN STATES TO LOSE ANOTHER U.S. HOUSE SEAT AFTER NEXT CENSUS - OUT OF LINE: IMPACT 2017 AND BEYOND**

Ohio is on target to lose another congressional seat after the 2020 census, making it even more important that the state gets it right in deciding how to reform the way its congressional districts are drawn.

## **THE ENQUIRER**

### **IN OHIO, NO ONE WANTS GOV. JOHN KASICH'S ENDORSEMENT - INCLUDING HIS FORMER RUNNING MATE WHO HAS IT**

In the Republican primary for Ohio governor, no one apparently wants Gov. John Kasich's endorsement - including the candidate who has it.

## **THE BLADE**

One of America's Great Newspapers

### **LAWMAKERS ARGUE ECOT CLOSING PREVENTABLE**

The Educational Service Center of Lake Erie West board voted Tuesday night to accept a court-supervised master to oversee the winding down of the defunct Electronic Classroom of Tomorrow.

**From:** Westlake, Libby  
**Sent:** Thursday, January 25, 2018 8:54 AM  
**To:** Westlake, Libby  
**Subject:** E-Clips for 1/25/2018

## HOUSE E-CLIPS

1/25/2018-



### **OHIO PART OF STUDY TO REDUCE CHILD WELFARE WORKERS TURNOVER**

Officials say Ohio is joining a national research project to reduce turnover among caseworkers in the child welfare field.



### **KASICH DISPUTES TAYLOR'S ASSERTION THEY HAVEN'T TALKED IN A YEAR**

The office of Ohio Gov. John Kasich, and her own appointment calendar, dispute Lt. Gov. Mary Taylor's assertion that she has not talked to the governor in more than a year.

### **OHIO LAWMAKERS GOING AFTER PHARMACY BENEFIT MANAGERS**

When Ohioans go to pharmacists for their prescriptions, they generally assume they'll be told the truth about the costs of their medicines.

### **NO REDISTRICTING VOTE WITHOUT CITIZENS COALITION SUPPORT, SENATE PRESIDENT SAYS**

Unless a citizens coalition agrees with a legislative plan to revamp Ohio's congressional redistricting process, Senate President Larry Obhof said the Senate won't vote on the measure.

### **CLINTONVILLE ARCHITECT BECOMES LATEST TO RUN FOR TIBERI'S OLD SEAT**

Yet another Republican has entered the race to replace Rep. Pat Tiberi.

### **CORDRAY WANTS TO BRING FIGHT FOR CONSUMERS TO OHIO**

Richard Cordray just finished a five-year stint running the U.S. Consumer Financial Protection Bureau, but on Wednesday he said he is starting his fight for consumers in Ohio.

### **STATE LAWMAKERS VOTE TO REGULATE 'E-BIKES'**



Ohio is one of just 20 states that doesn't regulate electric bicycles, but that might be changing with new legislation.

**Dayton Daily News**  
www.daytondailynews.com

### **NEW BILL CALLS FOR MORE TRANSPARENCY IN DRUG PRICES**

A consumer protection bill introduced in the Ohio House of Representatives this week aims to increase transparency in prescription drug pricing.

### **RIDING A SKATEBOARD WHILE HOLDING A CAR COULD BECOME ILLEGAL IN OHIO**

Grabbing the bumper or side of a moving car and hitching a ride while on a skateboard is not specifically illegal in Ohio — something some state lawmakers want to change.

### **TOOL WILL ALLOW THE PUBLIC TO FOLLOW THE MONEY IN OHIO POLITICS**

If you want to know what's going on in politics, the old adage is: follow the money.

## **THE PLAIN DEALER**

### **ECOT STUDENTS RUSHING TO OTHER E-SCHOOLS BUT TRICKLING BACK TO DISTRICTS**

Students from the just-closed ECOT online charter school have started to land in school districts and other charters, but the numbers remain low and it's too early to tell how well the process is working.

### **OHIO PAC SUPPORTING OHIO WOMEN CANDIDATES RAISES \$750,000**

The Matriots, a statewide PAC supporting female candidates, started last year when a small group of Columbus-area neighbors, friends and acquaintances stood together at the Women's March on Washington and felt something big.

### **TALK IT OUT: SHOULD OHIO BECOME A 'RIGHT TO WORK' STATE?**

Republican state Reps. John Becker and Craig Riedel have proposed a package of six constitutional amendments targeting how unions operate and are funded in Ohio.

## **THE BLADE**

Thee of America's Great Newspapers

### **VOTE DELAYED ON GOP REMAP PLAN**

Senate Republicans on Wednesday delayed a vote on changes to the inherently political process by which Ohio redraws congressional districts.

**From:** Ohio House Republican Communications  
**Sent:** Tuesday, January 30, 2018 5:26 PM  
**Subject:** GOP Week in Review 1/22/18 – 1/28/18



## OHIO HOUSE OF REPRESENTATIVES

*Majority Communications Department*

# GOP Week in Review

1/22/18 – 1/28/18

**Farm and Dairy: Ohio Cattlemen's Association honors family farms**

Ohio Rep. Brian Hill received the association's Industry Service Award. Hill, a longtime association member, raises beef cattle on his family farm in Muskingum County, and is currently serving his third term in the Ohio House of Representatives, after serving as a county commissioner for more than six years. ... "It's easy to go to Columbus to fight on your behalf," Hill told the cattlemen Saturday night.

**Columbus Dispatch: State lawmakers vote to regulate 'e-bikes'**

House Bill 250, introduced by Rep. Tom Brinkman, a Cincinnati-area Republican, would regulate electric bicycles, also called e-bikes, and hold them to many of the same standards as normal bicycles. ... "This new technology in e-bikes will allow more Ohioans to use our wonderful trail network, longer and later in life," Brinkman said.

**Dayton Daily News: New bill calls for more transparency in drug prices**

"Action is needed to address the rising prescription drug prices to protect Ohio consumers," said state Rep. Scott Lipps, R-Franklin, one of the sponsors of House Bill 479. "Prescription drug pricing in its supply chain is complex and broke and needs to be scrutinized."

**Alliance Review: State Rep. Christina Hagan shows support for emergency personnel**

"I am honored to discuss legislative matters impacting our community leaders and safety services, and to work toward solutions with the Ohio Fire Chiefs' Association," said Hagan. "I'm thankful for the daily sacrifices of all our Ohio firefighters and first responders."

**WHAM: Mom pushes for change after 3 year old denied heart transplant due to Down syndrome**

Miamisburg Representative Niraj Antani (R-District 42) is a primary sponsor of the bill and said, "They're told that they won't be able to follow the post operation regimen, their body won't be able to handle it, or that it's implied that their life is less worthy and that's wrong."

**Sandusky Register: State bill aims to plug orphan wells**

"As the representative of a district that is very concerned with the harmful effects of human activity on the environment ... I was proud to co-sponsor House Bill 225," Arndt said. "This legislation will help homeowners that discover abandoned orphan wells on their properties to properly address them."

**My Town NEO: Hudson boys cross country team recognized by Roegner, LaRose**

"It takes a lot of hard work and dedication to win a state title," Roegner said. "Our Hudson Boys Cross Country Team won the Division I State Championship through steadfast dedication. With an average 3.99 GPA, they are incredible student athletes and have earned the admiration of the state of Ohio."

**Columbus Dispatch: Ohio lawmakers going after pharmacy benefit managers**

Reps. Scott Lipps, R-Franklin, and Thomas West, D-Canton, say pharmacy benefit management companies (PBMs) are issuing "gag orders" to keep pharmacists quiet about what could be cheaper medicines for their clients, and keeping the extra money for themselves -- something the lawmakers hope to ban with new legislation, House Bill 479.

**WKSU: Conservative lawmakers renew their push for Ohio to become a right-to-work state**

Reps. John Becker and Craig Riedel say their bill would allow voters to decide whether Ohio should be a right-to-work state for public and private sector employees and would put limits on unions to collect dues and spend money on political ads. Riedel says Ohioans should decide this issue, once and for all.

**Marion Online: Riordan McClain sworn in as State Representative of the 87th Ohio House District**

"Riordan McClain's experience in the private sector and financial management will surely prove to be a valuable asset to our caucus," said Speaker Cliff Rosenberger (R-Clarksville). ... "I accept this appointment and will be honored to serve Ohio's 87th House District as state representative. I am appreciative of all the support that I've received through this process and look to carry that forward into a successful term representing our shared values," said McClain.

**Wilmington News Journal: Guest column from Speaker Cliff Rosenberger: Business growth affirms healthy economy**

The eighth consecutive year the state has experienced a record number of filings, new businesses have grown more than 46 percent since 2010. This continued progress is a

sure sign of economic health — when individuals are thriving and feel comfortable, they are able to invest in establishing their own business.

**Portsmouth Daily Times: Rep. Johnson honors 'Burg with state resolution**

Ohio State Representative Terry Johnson (R-McDermott) honored the Wheelersburg Pirates' football program for its state championship run back in the fall.

**From:** Paretti, Dominic  
**Sent:** Monday, February 5, 2018 5:01 PM  
**To:** House\_All  
**Subject:** Request for Co-Sponsorship – Paid Family and Medical Leave



#### MEMORANDUM

**TO:** All House Members  
**FROM:** Representative Janine Boyd and Representative Kristin Boggs  
**DATE:** February 5, 2018  
**RE:** Request for Co-Sponsorship – Paid Family and Medical Leave

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We will soon introduce legislation to create the Ohio Family and Medical Leave Insurance Program. Today we chose to send this co-sponsor request as this date marks the 25<sup>th</sup> anniversary of FMLA (Family Medical Leave Act). This legislation will provide 12 weeks of family and medical leave benefits, which will permit individuals to care for a family member, bond with a new child, or address their own serious health condition.

Out of 178 countries worldwide, the United States is one of three that does not provide paid leave to new mothers. So far five states—California, New Jersey, New York, Hawaii and Rhode Island offer some sort of paid leave to men and women who provide care. The federal Family Medical Leave Act provides 12 weeks of leave for family and medical reasons. This time is unpaid and employers with fewer than 50 employees are exempt, which eliminates a large segment of workers. Ohio should lead on the issue of paid leave to grow our economy and allow working people to put family first.

The program will be under the purview of the Department of Job and Family Services. An individual would receive leave insurance benefits for: a health condition which makes him/her unable to perform their job duties; caring for a new child during after birth, adoption, or foster care placement; caring for a child, parent, or spouse who has a serious health condition; or the individual is taking any other leave as authorized by the federal Family and Medical Leave Act. In order to be eligible for program benefits, an individual must file a

claim with ODJFS; must have worked at least 680 hours during the base period; premiums have been withheld and remitted for at least one year; and the leave must be for the above-mentioned purposes.

Once established, program benefits will be paid by assessing premiums on employees. Employers will be required to deduct and withhold premiums from employee's wages. However, an employer may opt to pay the contributions on behalf of employees.

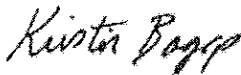
An employee who is covered by an employer-policy or collective bargaining agreement that provides the employee with greater leave than that provided by the Family and Medical Leave Act may elect not to participate in the Program in accordance with rules adopted by the Director. An employee who elects to opt out of participating in the Program is not liable for any premium or contribution that would otherwise be due under the Program.

Working people in Ohio should not have to worry about losing their job or falling behind financially just to take care of a sick child or relative; address their own serious health condition; or care for and bond with their newborn child. Ohio cities like Dayton and Cincinnati are leading on leave. By allowing working people to put their family first, we can truly make Ohio a better place to live, work, and raise a family.

If you have any questions or would like to co-sponsor this legislation, please contact Dominic Paretti, at 614-644-5079 or via email at [Dominic.Paretti@OhioHouse.Gov](mailto:Dominic.Paretti@OhioHouse.Gov) and Serena Finlay, 614-466-1896 or via email at [Serena.Finlay@OhioHouse.Gov](mailto:Serena.Finlay@OhioHouse.Gov). **The deadline to co-sponsor is Friday, March 9 at 4:00pm.**



**Janine Boyd**  
State Representative, Ohio House District 09



**Kristin Boggs**  
State Representative, Ohio House District 18

**From:** report@hannah.com  
**Sent:** Tuesday, February 13, 2018 8:47 PM  
**To:** DL\_Hannah  
**Subject:** Hannah News Stories for Tuesday, February 13, 2018

**Tuesday, February 13, 2018**

**IN TODAY'S HANNAH REPORT:**

**Please click here to read the entire Hannah Report.**

**Today's Stories**

- [Pillich Expected to End Gubernatorial Campaign Wednesday](#)
- [Chief Justice Suggests ECOT's Enrollment-Minus-Participation Argument Leads to 'Absurd Result'](#)
- [ProMedica Signs Transfer Agreement with Toledo Abortion Clinic](#)
- [CSRAB Unveils Painting of Lincoln Addressing General Assembly](#)
- [Liberal Groups Slam 'Right-to-Work' Proposals, Offer Policy Alternatives](#)
- ['Sexting' Ban Gets First Hearing](#)
- [Legislation Conforming Ohio Law to New Federal Tax Law Begins Hearings in House](#)
- [HB228 Draws Wide Range of Testimony on Gun, Self-Defense Issues](#)
- [School Board Talks Graduation, ECOT Response, Machine Scoring of Tests](#)
- [AEP Draws Vocal Support for Clean Energy Plan in First Public Hearing on ESP](#)
- [Hambley, Sweeney Introduce 'Ohio Proud Craft Beer Act'](#)
- [AG Warns of Romance Scams](#)
- [People in the News: Cole; Bowen](#)
- [Judicial Actions: Opinion](#)
- [Executive Action: Appointment](#)

**House Committee Reports**

- [Criminal Justice](#)
- [Economic Development, Commerce and Labor](#)
- [Education and Career Readiness](#)
- [Energy and Natural Resources](#)
- [Federalism and Interstate Relations](#)
- [Government Accountability and Oversight](#)
- [Public Utilities](#)
- [Rules and Reference](#)
- [Ways and Means](#)

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614.227.5820 | [www.hannah.com](http://www.hannah.com)



**From:** Westlake, Libby  
**Sent:** Wednesday, February 14, 2018 8:54 AM  
**To:** Westlake, Libby  
**Subject:** E-Clips for 2/14/2018

## HOUSE E-CLIPS

2/14/2018



### **HOSPITAL PACT MIGHT SAVE TOLEDO ABORTION CLINIC**

A hospital system has authorized a patient-transfer agreement to keep the last abortion clinic in Toledo operating.



### **PILLICH TO LEAVE RACE FOR GOVERNOR, BACK CORDRAY**

Only one of the original Democrats running for governor will still be in the race after Wednesday.

### **OHIO WANTS TO REQUIRE THOSE ON MEDICAID TO GET A JOB**

Thousands of Ohioans soon might need to find a job or lose their Medicaid health insurance.

### **KASICH CHOSEN TO ADDRESS GRADUATES OF KENNEDY SCHOOL IN MAY**

Gov. Kasich will address the 2018 graduates of the Harvard Kennedy School in May, the dean of the school said Tuesday.

### **CHIEF JUSTICE ON ECOT CLAIM FOR STATE MONEY: 'HOW IS THAT NOT ABSURD?'**

As ECOT attorney Marion Little finished his arguments for why, under the law, the online school should get full funding for students even if they only log in once a month and do no work, Chief Justice Maureen O'Connor interjected.

### **KASICH POSTPONES FOREIGN TRIP TO ATTEND OFFICERS' FUNERAL IN WESTERVILLE**

Long-time Westerville resident Gov. John Kasich is postponing a foreign trade trip to attend the Friday funeral of two police officers slain in his hometown on Saturday.

### **A FIFTH OF OHIO HIGH SCHOOL SENIORS NEED HELP TO EARN A DIPLOMA THIS YEAR**

Less than five months from graduation, one out of five Ohio high school seniors still wouldn't qualify for a diploma under more-stringent state standards — requirements that at least temporarily have been softened to avert just such a crisis.

#### **NEW REPORT FROM PRO-LABOR GROUP PANS RIGHT-TO-WORK PROPOSALS**

In the wake of proposed right-to-work amendments by Republican lawmakers, a newly released report is recommending politicians can support Ohio workers by backing off of regulating unions.

**Dayton Daily News**  
www.daytondailynews.com

#### **OHIO CONSIDERS RAISING CHILD MARRIAGE AGE AFTER DDN INVESTIGATION**

An investigation by the Dayton Daily News into child marriage is prompting state lawmakers to introduce a bill that would bump up the legal marriage age to 18 for both males and females and allow 17-year-olds to marry with court approval.

#### **VICIOUS DOGS: OHIO MOVES TO CHANGE LAWS ON DOG OWNERS**

Four years after the gruesome attack that killed Dayton resident Klonda Richey, state lawmakers are taking a double barrel approach to finally putting more teeth in the state's vicious dog laws.

#### **CINCINNATI DEMOCRAT CONNIE PILLICH EXPECTED TO LEAVE GOVERNOR'S RACE**

Former state representative Connie Pillich — the last woman leading a Democratic ticket for governor — is expected to drop out of the race and endorse former attorney general Rich Cordray on Wednesday, sources close to the campaign said.

## **THE PLAIN DEALER**

#### **OHIO'S CHARTER SCHOOL QUALITY CRACKDOWN CLAIMS A BIG-CITY VICTIM - THE CINCINNATI SCHOOL DISTRICT**

Ohio's push to improve charter school quality has booted a major city school district - the Cincinnati Public Schools - out of the charter school business.

#### **CONNIE PILLICH EXPECTED TO DROP OUT OF THE GOVERNOR'S RACE**

Connie Pillich, the lone remaining Democratic woman running for governor in what was supposed to be the "year of the woman," will drop out of the race Wednesday to endorse Richard Cordray, according to two Democratic sources.

#### **ECOT FUNDING QUESTIONED BY OHIO SUPREME COURT JUSTICES: "HOW IS IT NOT ABSURD?"**

Ohio Supreme Court justices were wary this morning of how the ECOT online charter school wants to be funded as the school and Ohio Department of Education pleaded their cases to the court.

**UNCONSCIONABLE FAILURE BY OHIO JUSTICES O'DONNELL, DeWINE TO  
RECUSE IN ECOT CASE AFTER TAKING THOUSANDS IN CAMPAIGN DOLLARS:**

**EDITORIAL**

The seven-member Ohio Supreme Court is hearing arguments this morning in a case whose outcome may kill or revive the Electronic Classroom of Tomorrow, or ECOT, the online charter school that shut down last month.

## **THE ENQUIRER**

**CONNIE PILLICH TO END GUBERNATORIAL BID; ENDORSE CORDRAY. WAS THE  
LONE FEMALE DEMOCRAT IN THE RACE**

In the so-called "year of the woman," the sole female in the Democratic race for governor will bow out to endorse former Consumer Financial Protection Bureau director Richard Cordray.

**DEMOCRAT KATHY WYENANDT FILES TO RUN IN OHIO 52ND DISTRICT**

Democrat Kathy Wyenandt is challenging Republican George Lang for his Ohio House seat.

## **THE BLADE**

*One of America's Great Newspapers*

**ECOT ASKS HIGH COURT TO RESTORE ITS FUNDING**

Clinging to hope of reopening its virtual doors, what was once Ohio's largest online school on Tuesday urged the Ohio Supreme Court to halt state efforts to claw back tens of millions in past aid.

**PILLICH TO DROP OHIO GOVERNOR BID**

Another Democratic candidate for governor will drop out of the race Wednesday and throw her support to Richard Cordray for the party's nomination.

**From:** Paretti, Dominic  
**Sent:** Tuesday, February 20, 2018 10:15 AM  
**To:** House\_All  
**Subject:** FW: Request for Co-Sponsorship – Paid Family and Medical Leave

**\*\*REMINDER-DEADLINE TO CO SPONSOR IS MARCH 9, 2018 at 4PM**

Dominic Paretti

Legislative Aide to Representative Boyd  
Ohio House District 09  
614-644-5079

---

**From:** Paretti, Dominic  
**Sent:** Monday, February 05, 2018 5:01 PM  
**To:** House\_All <House\_All@ohiohouse.gov>  
**Subject:** Request for Co-Sponsorship – Paid Family and Medical Leave



**MEMORANDUM**

**TO:** All House Members  
**FROM:** Representative Janine Boyd and Representative Kristin Boggs  
**DATE:** February 5, 2018  
**RE:** Request for Co-Sponsorship – Paid Family and Medical Leave

---

We will soon introduce legislation to create the Ohio Family and Medical Leave Insurance Program. Today we chose to send this co-sponsor request as this date marks the 25<sup>th</sup> anniversary of FMLA (Family Medical Leave Act). This legislation will provide 12 weeks of

family and medical leave benefits, which will permit individuals to care for a family member, bond with a new child, or address their own serious health condition.

Out of 178 countries worldwide, the United States is one of three that does not provide paid leave to new mothers. So far five states—California, New Jersey, New York, Hawaii and Rhode Island offer some sort of paid leave to men and women who provide care. The federal Family Medical Leave Act provides 12 weeks of leave for family and medical reasons. This time is unpaid and employers with fewer than 50 employees are exempt, which eliminates a large segment of workers. Ohio should lead on the issue of paid leave to grow our economy and allow working people to put family first.

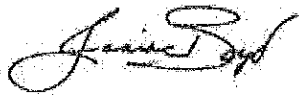
The program will be under the purview of the Department of Job and Family Services. An individual would receive leave insurance benefits for: a health condition which makes him/her unable to perform their job duties; caring for a new child during after birth, adoption, or foster care placement; caring for a child, parent, or spouse who has a serious health condition; or the individual is taking any other leave as authorized by the federal Family and Medical Leave Act. In order to be eligible for program benefits, an individual must file a claim with ODJFS; must have worked at least 680 hours during the base period; premiums have been withheld and remitted for at least one year; and the leave must be for the above-mentioned purposes.

Once established, program benefits will be paid by assessing premiums on employees. Employers will be required to deduct and withhold premiums from employee's wages. However, an employer may opt to pay the contributions on behalf of employees.

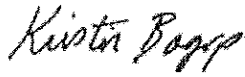
An employee who is covered by an employer policy or collective bargaining agreement that provides the employee with greater leave than that provided by the Family and Medical Leave Act may elect not to participate in the Program in accordance with rules adopted by the Director. An employee who elects to opt out of participating in the Program is not liable for any premium or contribution that would otherwise be due under the Program.

Working people in Ohio should not have to worry about losing their job or falling behind financially just to take care of a sick child or relative; address their own serious health condition; or care for and bond with their newborn child. Ohio cities like Dayton and Cincinnati are leading on leave. By allowing working people to put their family first, we can truly make Ohio a better place to live, work, and raise a family.

If you have any questions or would like to co-sponsor this legislation, please contact Dominic Paretti, at 614-644-5079 or via email at [Dominic.Paretti@OhioHouse.Gov](mailto:Dominic.Paretti@OhioHouse.Gov) and Serena Finlay, 614-466-1896 or via email at [Serena.Finlay@OhioHouse.Gov](mailto:Serena.Finlay@OhioHouse.Gov). **The deadline to co-sponsor is Friday, March 9 at 4:00pm.**

A handwritten signature in cursive script, appearing to read "Janine Boyd".

**Janine Boyd**  
**State Representative, Ohio House District 09**

A handwritten signature in cursive script, appearing to read "Kristin Boggs".

**Kristin Boggs**  
**State Representative, Ohio House District 18**

**From:** Westlake, Libby  
**Sent:** Monday, February 26, 2018 8:54 AM  
**To:** Westlake, Libby  
**Subject:** E-Clips for 2/26/2018

## HOUSE E-CLIPS

2/26/2018



### **FUTURE UNCERTAIN AS OHIO HIGHER EDUCATION BOARD SITS IDLE**

The future of Ohio's once-powerful higher education advisory board remains uncertain as lawmakers move to change the way the state oversees education.

### **OHIO MOVES TO ADD WRIGHT FLYER TO STATE SEAL AMID DISPUTE**

Ohio is staking another public claim to the Wright brothers' legacy amid a dispute with Connecticut over an aviator that state says flew first.

### **GOP GOVERNOR TAPS ADVISERS FOR GUN POLICY TALKS**

Ohio Gov. John Kasich says he has convened a diverse group of advisers on gun policy to help him come up with a consensus policy proposal that he can bring forward in the coming days.



### **MEDICAL MARIJUANA MAY ARRIVE LATE IN OHIO**

From litigation to audits to legislation, the attempted fixes are piling up for an Ohio medical marijuana program that has been beset by problems.

### **DEMOCRATIC CANDIDATES FOR OHIO GOVERNOR HOPE TO WIN BACK TRUMP VOTERS**

Getting Ohio Democrats who voted for President Donald Trump back into the fold was a theme Sunday as Democratic candidates for governor appeared before the public in Marysville.

### **KASICH FAVORS ARMING TEACHERS, AGAINST 'STAND YOUR GROUND'**

Ohio Gov. John Kasich said he is hoping that a group he's quietly convened to find solutions to gun violence in the state will be able to deliver something by the end of next week to the General Assembly.

### **FRUSTRATED ACTIVIST BASHES KASICH, EYES RECREATIONAL WEED**

An architect of Ohio's medical marijuana law Friday accused Gov. John Kasich of intentionally torpedoing the state's program, which is supposed to start in September.

### **UNION MONEY NOW FUELS GOP LEGISLATIVE CAMPAIGNS IN OHIO**

Ohio has increasingly become an island among states that have passed a right-to-work law — an initiative strongly opposed by labor unions.

### **NEARLY NEW LINEUP AT DEMOCRATS' NEXT OHIO GOVERNOR DEBATE IN TOLEDO**

When four Democratic candidates for Ohio governor gathered for a debate in Columbus in October, they spent their time discussing Ohio's opioid crisis, the scandal surrounding online charter school ECOT, and the financial cost to local communities of state tax breaks for businesses.

### **KASICH ASSAILS DEMOCRATS FOR LACKING AGENDA**

Launching a spirited attack against the Democratic Party, Ohio Gov. John Kasich charged he has "no clue" what Democrats stand for and complained they have "no agenda."

### **CAPITOL INSIDER: KASICH CHANGES HIS TUNE ON 'ASSAULT WEAPONS' VOTE**

Ohio Gov. John Kasich's evolution on gun issues apparently continues.

### **EDITORIAL: DOING NOTHING IS NO LONGER ACCEPTABLE**

Gun-rights advocates in the Ohio House of Representatives had every reason to expect House Bill 228 to pass easily, further dismantling the state's already-flimsy regulation of deadly weapons.

**Dayton Daily News**  
www.daytondailynews.com

### **ANTHEM BLUE CROSS BLUE SHIELD ER POLICY CRITICIZED BY OHIO LAWMAKERS**

Several Democratic state lawmakers want to penalize Anthem Blue Cross Blue Shield for a new policy that does not cover some emergency room visits deemed by the insurer not to be emergencies.

## **THE PLAIN DEALER**

### **KASICH, OTHER GOVERNORS RESTATE NATIONAL NEED TO DEAL WITH HEALTH CARE COSTS AND QUALITY**

Ohio Gov. John Kasich and his counterparts from Colorado and Alaska came to the nation's capital Friday to remind policy makers, businesses and the public: There's still much work to do on health care.

### **'YOU KNOW, WHEN YOU GET PUNCHED, AT LEAST IT ONLY HURTS FOR A MINUTE' OHIO MATTERS: EPISODE 6 - JOE SCHIAVONI**



State Sen. Joe Schiavoni acknowledges the Democratic gubernatorial primary has been a tough fight so far.

### **REPUBLICAN OHIO GOVERNOR CANDIDATES SUPPORT ARMING TEACHERS TO HELP PREVENT SCHOOL SHOOTINGS**

Both Republican candidates for Ohio governor say they support arming teachers as part of an approach to prevent further school shootings.

### **STATE EMPLOYEES WITH CLAIMS PROCESSED BY ANTHEM NOT AFFECTED BY NEW ER RULE**

State employees are not affected by a new Anthem Blue Cross Blue Shield rule that leaves some policyholders with emergency-room bills when the company determines they didn't need emergency care.

### **OHIO RECREATIONAL MARIJUANA BALLOT MEASURE MIGHT NOT HAPPEN IN 2018, BACKER SAYS**

Ohioans hoping to vote to legalize recreational marijuana this year will likely have to wait a little longer, perhaps as long as two years.

### **FACT CHECK: OHIO DEMOCRATS TAKE FRANK LAROSE'S REMARKS OUT OF CONTEXT**

The Ohio Democratic Party on Friday circulated a 13-second audio recording of Republican Frank LaRose, a candidate for secretary of state, claiming that he was bragging about a Republican plan to gerrymander states across the country, including Ohio in 2011.

### **MARY TAYLOR'S CHIEF OF STAFF HAS NEW JOB WITH OHIO'S MEDICAL MARIJUANA PROGRAM**

A longtime Kasich administration staffer has a new job advising Ohio's nascent medical marijuana program, but few details were available Friday about what he will do in the new role.

### **ROLL OF SHAME OF OHIO LAWMAKERS WHO OVERRODE GOP GOV. TAFT'S 2006 VETO, ENDING CITIES' BANS ON MASSACRE-CAPABLE WEAPONS: THOMAS SUDDER**

Some Ohioans sincerely believe the Second Amendment trumps any attempt to regulate massacre-capable guns.

### **FIRSTENERGY CAN'T BE ALLOWED TO POCKET CORPORATE-TAX-CUT WINDFALL AND SHORT CUSTOMERS: EDITORIAL**

The last time U.S. corporate tax rates were slashed, during the Reagan administration, some state utility regulators were slow off the mark in making sure investor-owned utilities didn't just pocket the profits without adjusting consumer bills, The New York Times reports.

# **THE ENQUIRER**

## **THE NRA HAS A LOVE-HATE RELATIONSHIP WITH THESE OHIO REPUBLICANS – AND DEMOCRATS.**

The National Rifle Association has long supported Republicans around the country, and vice versa.

## **THE BLADE** *One of America's Great Newspapers*

### **LITIGATION PROCEEDS OVER MEDICAL MARIJUANA LICENSING**

A lawsuit that could endanger the timeline for Ohio's rollout of its fledgling medical marijuana program will forge ahead despite proposed legislation to give the state a chance to correct licensing flaws.

**From:** Gongwer News Service

**Sent:** Monday, February 26, 2018 6:26 PM

**To:** Griffin, Lisa

**Subject:** Ohio Report, Monday, February 26, 2018

**Attachments:** 180226dayplan.htm; Feb26Senate.htm; Feb26House.htm; Feb26.htm

**Follow Up Flag:** Follow up

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**Categories:** PRR

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## OHIO REPORT MONDAY, FEBRUARY 26

**\$2.62 Billion Capital Budget Prioritizes Projects To Address Opiate  
Addiction, Related Issues**

**Cardinal Health Among Drug Distributors Targeted In Latest DeWine  
Opioid Suit**

**Nearly \$29M In State IT Funding Clears Controlling Board**

**Adult Charge Stemming From Juvenile Conviction Challenged At High Court**

**Ohio Groups Debate Trump's Short-Term Health Plan Proposal**

**Travel Trailer Maker Tops List Of Tax Credits Issued By State Panel**

**Kasich Declares Emergency As Flood Risks Continue**

**Cyberattack Temporarily Shuts Down State Websites, Phones**

**Environmental Group Calls For Setback, Chemical Reporting Changes Following Well Fire**

**Schiavoni, Williams Plan Firearm Removal Bill; Yost Unveils School Safety Plan; High Court Hears Janus Case; Kucinich Continues Gun Push...**

**Governor's Appointments**

**Supplemental Event Planner**

## **ACTIVITY REPORTS**

=====A

**House**

**Senate**

## **CALENDARS**

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## Day Planner

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## Daily Activity Planner for Tuesday, February 27

### Legislative Committees

Senate Transportation, Commerce & Workforce (Committee Record) (Chr. LaRose, F., 466-4823), Finance Hearing Rm., 9:30 a.m.

- HB 159**      **MONTH DESIGNATION** (Riedel, C.) To designate May as "Drive Ohio Byways Month." (1st Hearing-Sponsor)
- HB 195**      **WHEELCHAIR TRANSPORTS** (Ingram, C., Seitz, B.) To modify the provisions concerning the transport of persons who require the use of a wheelchair or other mobility aid in nonemergency circumstances. (3rd Hearing-All testimony-Possible amendments & vote)
- HCR 19**      **HATE GROUPS** (Leland, D., Greenspan, D.) To denounce and oppose the totalitarian impulses, violent terrorism, xenophobic biases, and bigoted ideologies that are promoted by white nationalists and neo-Nazis, to urge law enforcement to recognize white nationalist and neo-Nazi groups as terrorist organizations, and to pursue the criminal elements of these domestic terrorist organizations in the same manner and with the same fervor used to protect the United States from other manifestations of terrorism. (2nd Hearing-Proponent)
- HB 336**      **LICENSE FEES** (Barnes, J., Greenspan, D.) To prohibit the imposition of driver's license and temporary instruction permit reinstatement fees in specified circumstances and to name this act the Reinstatement Fee Amnesty Initiative. (2nd Hearing-Proponent)
- HB 250**      **ELECTRIC BICYCLES** (Brinkman, T.) To establish requirements for the use of electric bicycles. (1st Hearing-Sponsor)
- Senate Local Government, Public Safety & Veterans Affairs (Committee Record) (Chr. Uecker, J., 466-8082), South Hearing Rm., 9:45 a.m.
- Confirmation hearing on governor's appointment of Scott Arthur, State Board of Emergency Medical, Fire and Transportation Services
- HB 307**      **MONTH DESIGNATION** (Gonzales, A.) To designate September as "We Card Month." (2nd Hearing-Proponent)
- HB 229**      **DAY DESIGNATION** (Romanchuk, M., Wiggam, S.) To designate February 3 as "Charles Follis Day." (2nd Hearing-Proponent)
- HB 202**      **AWARENESS DAY** (Thompson, A.) To designate the first Saturday of May as "Veterans Suicide Awareness Day." (2nd Hearing-Proponent)
- SB 106**      **SMOKING** (Tavares, C.) To prohibit smoking in a motor vehicle in which a child under six years of age is a passenger. (1st Hearing-Sponsor)
- HB 194**      **LICENSE PLATES** (Johnson, T., Craig, H.) To establish a program for the issuance of special license plates related to military service and awards. (4th Hearing-All testimony-Possible amendments & vote)

**House Rules & Reference (Committee Record) (Chr. Rosenberger, C., 466-3506), Rm. 119, 10 a.m.**

**House Ways & Means (Committee Record) (Chr. Schaffer, T., 466-8100), Rm. 121, 10 a.m.**

**SB 226**      **TAX HOLIDAY (Bacon, K.)** To provide for a permanent three-day sales tax "holiday" each August during which sales of clothing and school supplies are exempt from sales and use tax. (1st Hearing-Sponsor)

**SB 22**        **TAX LAWS (Peterson, B.)** To expressly incorporate changes in the Internal Revenue Code since February 14, 2016, into Ohio law. (3rd Hearing-All testimony-Possible amendments, substitute & vote)

**HB 507**      **TAX CREDIT (Gonzales, A.)** To allow a refundable income tax credit for parents of stillborn children. (1st Hearing-Sponsor)

**HB 488**      **TAX LEVIES (Hood, R., Becker, J.)** To modify the information conveyed in election notices and ballot language for property tax levies. (1st Hearing-Sponsor & proponent)

**Senate Judiciary (Committee Record) (Chr. Bacon, K., 466-8064), North Hearing Rm., 10:15 a.m.**

- **Confirmation hearing on governor's appointments of Mark Wasylshyn, Michael Staley, Brian Simms and Jay Beighley, Ohio Private Investigation and Security Services Commission**

**SB 66**        **CRIMINAL LAWS (Eklund, J., Tavares, C.)** To modify criminal sentencing and corrections law by including rehabilitation as a purpose of felony sentencing, removing the one-year minimum for presumptive fourth or fifth degree felony community control sanctions, modifying sanctions for a violation of a community control condition, modifying the manner of calculating confinement credits, modifying eligibility criteria and procedures for granting intervention in lieu of conviction, making offenders convicted of certain multiple fourth or fifth degree felonies eligible for conviction record sealing, revising procedures for the Adult Parole Authority to grant a final release or terminate post-release control, and modifying the criteria for considering a prison term sanction for a post-release control violation. (5th Hearing-All testimony-Possible vote)

**SB 231**      **OFFENDER DATABASE (Gardner, R.)** To provide for a violent offender database, require violent offenders to enroll in the database, and name those provisions of the act "Sierah's Law;" to modify the membership and duties of the Ex-Offender Reentry Coalition and eliminate its repeal; to require halfway houses to use the single validated risk assessment tool for adult offenders that the Department of Rehabilitation and Correction has developed; and to provide that the notice of release from prison of specified serious offense offenders that is given to sheriffs is to be the same as that provided to prosecuting attorneys and eliminate the notice to sheriffs regarding pardons, commutations, paroles, and transitional control transfers of offenders. (2nd Hearing-Possible amendments)

- SB 171**      **PROTECTION ORDERS** (Hottinger, J.) To increase the penalty that applies to the offense of violating a protection order under certain circumstances and to require electronic monitoring of those convicted of violating certain protection orders to be carried out by probation agencies. (3rd Hearing-All testimony-Possible amendments)
- SB 195**      **DOGS LAW** (Beagle, B.) To revise provisions of the Dogs Law governing nuisance, dangerous, and vicious dogs, to revise enforcement of that Law, and to establish a notification process regarding complaints of certain violations of that Law. (3rd Hearing-All testimony-Possible amendments)
- SB 244**      **PROSTITUTION** (Dolan, M., Manning, G.) To amend the penalties for promoting prostitution. (2nd Hearing-Proponent)
- House Finance** (Committee Record) (Chr. Smith, R., 466-1366), Rm. 313, 11 a.m.
- HB 529**      **CAPITAL APPROPRIATIONS** (Ryan, S.) To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30, 2020. (1st Hearing-Sponsor-Pending referral)
- HB 508**      **OHIO CORPS** (Ryan, S., Reineke, B.) To establish the Ohio Corps Pilot Project and to make an appropriation. (2nd Hearing-Proponent)
- HB 378**      **BROADBAND GRANTS** (Smith, R., Cera, J.) To create the Ohio Broadband Development Grant Program and to make an appropriation. (5th Hearing-All testimony-Possible substitute)
- House Economic Development, Commerce & Labor** (Committee Record) (Chr. Young, R., 644-6074), Rm. 113, 1:30 p.m.
- HB 504**      **INTERIOR DESIGNERS** (Pelanda, D.) Regarding interior designers. (1st Hearing-Sponsor)
- HB 263**      **OUTDOOR DINING AREAS** (Lanese, L.) To generally allow an owner, keeper, or harbinger of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation. (6th Hearing-All testimony-Possible vote)
- HB 211**      **HOME INSPECTORS** (Hughes, J.) To require the licensure of home inspectors and to create the Ohio Home Inspector Board to regulate the licensure and performance of home inspectors. (5th Hearing-All testimony-Possible vote)
- HB 433**      **VETERINARY EDUCATION** (Kelly, B., Brinkman, T.) To allow a licensed veterinarian to receive up to two continuing education credits per biennium for performing free spaying and neutering services. (2nd Hearing-Proponent)
- House Criminal Justice** (Committee Record) (Chr. Manning, N., 644-5076), Rm. 114, 1:30 p.m.
- HB 457**      **DRUG TREATMENT** (Antani, N.) To require that an offender serving a community control sanction or a parolee who fails a drug test for heroin,



fentanyl, or carfentanil be held in jail or admitted to a residential treatment program for up to 30 days. (2nd Hearing-Proponent)

**HB 391** **ECONOMIC LOSSES (Merrin, D.)** To include the cost of accounting done to determine the extent of economic loss as a type of economic loss for which restitution may be granted. (4th Hearing-All testimony-Possible amendments & substitute)

**House State & Local Government (Committee Record) (Chr. Anielski, M., 644-6041), Rm. 017, 2 p.m.**

**HB 454** **CEMETERY LOTS (Patterson, J., Arndt, S.)** To require a township to compensate the owner of certain unused cemetery lots and rights which the township reenters after lack of response from the owner. (5th Hearing-All testimony-Possible vote)

**HR 299** **DRUG USE (Young, R., Ginter, T.)** To recognize the efforts and successes of the faith-based community in supporting and assisting individuals who are suffering from opioid and other drug abuse and addiction. (3rd Hearing-All testimony-Possible vote)

**HB 483** **WEEK DESIGNATION (Patterson, J.)** To designate the second week of October as "Ohio Covered Bridge Week." (2nd Hearing-All testimony)

**HB 484** **HEALTH DISTRICTS (Brenner, A.)** To authorize city and general health districts to use credit cards in accordance with prescribed requirements. (1st Hearing-Sponsor)

**HB 492** **STATE PROCUREMENT (Gonzales, A.)** To establish the women-owned business enterprise program requiring state agencies to establish women-owned business procurement goals. (1st Hearing-Sponsor)

**HB 493** **MINORITY ENTERPRISES (Gonzales, A.)** To authorize the Director of Administrative Services to enter into reciprocal agreements with other states with respect to the certification of minority business enterprises and EDGE business enterprises. (1st Hearing-Sponsor)

**HB 500** **TOWNSHIP LAWS (Carfagna, R.)** To make various changes to township law. (1st Hearing-Sponsor)

**House Government Accountability & Oversight (Committee Record) (Chr. Blessing, L., 466-9091), Rm. 313, 2 p.m.**

- **Note time & room change.**

**HB 382** **UNEMPLOYMENT COMPENSATION (Schuring, K.)** To modify terms describing payments made under the Unemployment Compensation Law, to increase the amount of wages subject to unemployment compensation premiums, to require qualifying employees to make payments to the Unemployment Compensation Insurance Fund, to allow the Director of Job and Family Services to adjust maximum weekly benefit amounts, to reduce the maximum number of benefit weeks, and to make other changes to the Unemployment Compensation Law. (15th Hearing-All testimony)

**HJR 4**      **UNEMPLOYMENT COMPENSATION** (Schuring, K.) Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to allow the General Assembly to provide by law for the issuance of bonds to pay unemployment compensation benefits when the fund created for that purpose is or will be depleted or to repay outstanding advances made by the federal government to the unemployment compensation program. (15th Hearing-All testimony)

**HB 512**      **EDUCATION DEPARTMENT** (Reineke, B.) To establish the Department of Learning and Achievement; to abolish the Department of Higher Education, the position of the Chancellor of Higher Education, and the Ohio Board of Regents; to transfer, with exceptions, the duties regarding the administration of primary and secondary education programs and all duties regarding the administration of higher education programs to the Department of Learning and Achievement; and to prescribe certain duties regarding educator licensure, community school sponsorship, and other education programs for the State Board of Education, Superintendent of Public Instruction, and Department of Education. (2nd Hearing-Proponent)

**HB 451**      **PUBLIC RECORDS** (Retherford, W.) To exclude from the definition of public record under the Public Records Law any depiction by photograph, film, videotape, or digital, visual, or printed material of victims of crime under specified circumstances dealing with the victims' bodily privacy. (4th Hearing-All testimony-Possible vote)

**SB 223**      **USED TIRES** (LaRose, F.) To prohibit the installation of unsafe used tires on certain motor vehicles. (4th Hearing-All testimony-Possible amendments & vote)

**SB 10**      **PRIMARY ELECTIONS** (LaRose, F.) To expand the circumstances under which a board of elections or the secretary of state is not required to hold a primary election. (3rd Hearing-All testimony-Possible substitute)

**HB 506**      **DOG BREEDERS** (Hill, B.) To revise the law governing high volume dog breeders. (2nd Hearing-Proponent-Possible amendments)

**HB 469**      **TAX CREDIT** (Schuring, K., Patton, T.) To authorize a nonrefundable insurance company tax credit for contributions of capital to transformational mixed use development projects. (2nd Hearing-Proponent)

**HB 489**      **FINANCIAL INSTITUTIONS** (Dever, J.) To provide some regulatory and tax relief to state banks and credit unions, to provide for data analytics to be conducted on publicly available information regarding banks, credit unions, and consumer finance companies, to modify when a creditor can file a claim against an estate, to require registration of mortgage loan servicers, and to require a specified notice be given to a debtor for certain debt collection. (1st Hearing-Sponsor-Possible amendments)

**SB 139**      **LEGAL MATERIALS** (Skindell, M., Eklund, J.) To adopt the Uniform Electronic Legal Material Act. (1st Hearing-Sponsor)

**HB 450**      **HEALTH BENEFITS** (Antani, N.) To impose review and other requirements on existing health insurance mandated benefits and to establish requirements for the creation of new mandated benefits. (2nd Hearing-Proponent)

**HB 342**      **TAX LEVIES** (Merrin, D.) To permit local tax-related proposals to appear only on general and primary election ballots and not on an August special election ballot and to modify the information conveyed in election notices and ballot language for property tax levies. (4th Hearing-All testimony)

**Senate Finance** (Committee Record) (**Chr. Oelslager, S., 466-0626**), **Finance Hearing Rm., 2:30 p.m.**

- **Confirmation hearing on governor's appointments of Pamela Mowry, North Central State College Board of Trustees and Jo Ann Davidson and Ranjan Manoranjan, Ohio Casino Control Commission**

**SB 266**      **CAPITAL APPROPRIATIONS** (Oelslager, S.) To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30, 2020. (Presentation from OBM Director Tim Keen)

**HB 168**      **CEMETERY REGISTRATION** (Stein, D.) To modify duties of the Division of Real Estate in the Department of Commerce regarding cemetery registration, to specify cemetery owners must reasonably maintain cemeteries, to establish the Cemetery Grant Program, and to make an appropriation. (4th Hearing-All testimony-Possible vote)

**HB 251**      **SUBDIVISION INVESTMENTS** (Greenspan, D.) To increase from five to ten years the maturity period of other political subdivision's bonds and obligations eligible for investment of a subdivision's interim moneys, a county's inactive moneys, and money in the county public library fund. (4th Hearing-All testimony-Possible vote)

**Senate Health, Human Services & Medicaid** (Committee Record) (**Chr. Burke, D., 466-8049**), **South Hearing Rm., 3:15 p.m.**

**SB 218**      **MEDICAID PROVIDERS** (Lehner, P.) Regarding surety bonds and minimum training for certain Medicaid providers. (1st Hearing-Sponsor-Possible amendments)

**HB 332**      **ANATOMICAL GIFTS** (Antani, N.) Regarding anatomical gifts, transplantation, and discrimination on the basis of disability. (1st Hearing-Sponsor)

**HB 340**      **PUBLIC ASSISTANCE** (Young, R.) Regarding the release of information concerning public and medical assistance recipients. (1st Hearing-Sponsor)

**SB 233**      **COTTAGE FOOD PRODUCTION** (Thomas, C.) To allow a cottage food production operator to use a firebrick oven located on a patio at the operator's residence for purposes of the cottage food production operation (2nd Hearing-Proponent)

**HB 111**      **MENTAL HEALTH COMMITMENTS** (Carfagna, R., Ryan, S.) To authorize certain advanced practice registered nurses to have a person involuntarily

transported to a hospital for a mental health examination. (4th Hearing-All testimony-Possible amendments)

**House Education & Career Readiness (Committee Record) (Chr. Brenner, A., 644-6711), Rm. 121, 4 p.m.**

**HB 502 YOUTH SUICIDE (Anielski, M.)** With regard to educator inservice training on youth suicide awareness and prevention in public schools. (1st Hearing-Sponsor)

**HB 503 YOUTH SUICIDE (Anielski, M.)** With regard to educator inservice training on youth suicide awareness and prevention in private schools. (1st Hearing-Sponsor)

**HB 318 SCHOOL RESOURCE OFFICERS (Patterson, J., LaTourette, S.)** To define the necessary qualifications and responsibilities of school resource officers. (3rd Hearing-All testimony-Possible substitute & vote)

**HB 428 STUDENT EXPRESSION (Ginter, T., LaTourette, S.)** Regarding student religious expression and to entitle the act the "Ohio Student Religious Liberties Act of 2018." (3rd Hearing-Opponent)

**HB 491 EDUCATION LICENSE (Edwards, J.)** To require the State Board of Education to issue a substitute license to specified pupil services personnel. (2nd Hearing-All testimony)

**HB 360 BULLYING (Greenspan, D.)** To enact the "Ohio Anti-Bullying and Hazing Act" with regard to school discipline and bullying and hazing policies at public schools and public colleges. (4th Hearing-Possible substitute)

**Senate Government Oversight & Reform (Committee Record) (Chr. Coley, B., 466-8072), Finance Hearing Rm., 4 p.m.**

**SR 342 COLUMBUS CREW (Kunze, S.)** To urge the investor-operator and chairperson of Columbus Crew Soccer Club to keep the franchise in Columbus. (2nd Hearing-All testimony-Possible vote)

**SB 221 AGENCY RULEMAKING (Uecker, J.)** To reform agency rule-making and legislative review thereof. (3rd Hearing-Opponent-Possible amendments)

**HB 226 FIREWORKS (Seitz, B., Sweeney, M.)** To establish a fireworks study group to review and make recommendations regarding the Fireworks Law, to extend to July 1, 2020, the moratorium on issuing fireworks manufacturer and wholesaler licenses, to eliminate, beginning January 1, 2021, the moratorium on geographic transfer of fireworks manufacturer and wholesaler licenses, and, beginning July 1, 2020, to impose a fee on the retail sale of consumer grade fireworks in this state and to expand the ability of individuals to obtain 1.3G display fireworks and obtain and use 1.4G consumer fireworks. (2nd Hearing-Proponent)

**SB 239 REGIONAL GOVERNMENT COUNCILS (Dolan, M.)** To modify the law concerning regional councils of governments. (3rd Hearing-Opponent)

**Agency Calendar**

Board of Building Appeals, Division of Industrial Compliance, 6606 Tussing Road,  
Training Room 1, Reynoldsburg, 8:30 a.m.

## Event Planner

State Auditor Dave Yost and GOP lawmakers news conference on Medicaid compliance, Press Briefing Rm., Statehouse, Columbus, 10 a.m.

Ohio Lobbying Association Annual Meeting & Legislative Reception, Sheraton Columbus at Capital Square, 75 E. State St., Columbus, 4 p.m., (4:00 pm - Annual Meeting for OLA Members; 5:00 pm - Legislative Reception. More info and to register: [http://bit.ly/2018\\_OLA\\_AM](http://bit.ly/2018_OLA_AM))

Rep. Glenn Holmes (D-McDonald) fundraiser, Westies Gastropub, 940 S. Front Street, Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$250 to Committee to Elect Glenn Holmes. RSVP with Jenna Gravalis at 551-427-9895 or [jgravalis@ohiodems.org](mailto:jgravalis@ohiodems.org))

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## Senate Activity for Monday, February 26, 2018

### INTRODUCED

**SB 266** ■ **CAPITAL APPROPRIATIONS (Oelslager, S.)** To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30, 2020.  
Gongwer Coverage

**SB 267** ■ **SOLICITING (Brown, E., Kunze, S.)** To increase the penalty for soliciting when the person solicited is eighteen years of age or older, to specify that the fine for soliciting in this circumstance is not more than two thousand five hundred dollars, and to specify that up to one thousand dollars of that fine may be deposited into the Victims of Human Trafficking Fund. Am. 2907.24 and 5101.87

### SENATE PRESIDENT'S APPOINTMENTS

Joint Education Oversight Committee: Senator Gayle Manning as chair .

### DELIVERED TO THE GOVERNOR

**SB 144** ■ **DISABILITIES COUNCIL (Burke, D.)** To abolish the Opportunities for Ohioans with Disabilities Commission, Consumer Advisory Committee, and Governor's Council on People with Disabilities; to establish a state rehabilitation services council known as the Opportunities for Ohioans with Disabilities Council; and to restore staggered terms of office for the employee members representing firefighters on the board of trustees of the Ohio Police and Fire Pension Fund.

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## House Activity for Monday, February 26, 2018

### INTRODUCED

**HB 526** ■ **SCHOOL SAFETY** (DeVitis, T., Sweeney, M.) To authorize a public or chartered nonpublic school to enter into an agreement with a volunteer law enforcement officer to patrol school premises to prevent or respond to a mass casualty event, to provide the parties with a qualified immunity from civil liability, and to provide a tax credit for volunteer service. Am. 5747.08 and 5747.98 and to enact sections 3313.94 and 5747.64

**HB 527** ■ **VISITATION RIGHTS** (LaTourette, S.) To allow certain specified persons to petition the probate court for reasonable visitation with an incompetent or ward if visitation between the person and the incompetent or ward has been interfered with or denied. Am. 2111.132

**HB 528** ■ **CORPSE ABUSE** (Smith, R., Rezabek, J.) To expand the penalties for abuse of corpse offenses. Am. 2927.01 and 2929.13

**HB 529** ■ **CAPITAL APPROPRIATIONS** (Ryan, S.) To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30, 2020. Am. 164.05  
Gongwer Coverage

### HOUSE SPEAKER'S APPOINTMENTS

Insurance Committee: Remove Representative LaTourette; appoint Representative Lang.

### DELIVERED TO THE GOVERNOR

**HB 45** ■ **MONTH DESIGNATION** (Sprague, R.) To designate May as "Neurofibromatosis Awareness Month."

**HB 79** ■ **FIREARMS TRAINING** (Retherford, W., Hagan, C.) To provide for firearms training for tactical medical professionals; to permit such a professional who has received that training and has been authorized by the law enforcement



agency to carry firearms while on duty; and to grant such a professional the same right to carry a concealed handgun in this state as a concealed handgun licensee.

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**Volume #37, Report #38 -- Monday, February 26, 2018**

**\$2.62 Billion Capital Budget Prioritizes Projects To Address Opiate Addiction, Related Issues**

The General Assembly is doubling its prior financial commitments for behavioral and mental health infrastructure in the capital appropriations budget that was introduced Monday.

The bill includes \$2.62 billion in new spending on bricks-and-mortar projects as well as a yet-to-be-disclosed amount of reappropriations for ongoing capital projects approved in prior biennia. The bill covers spending in Fiscal Years 2019-2020.

Companion House and Senate measures (HB 529 & SB 266) allocate \$222 million for health and human services, developmental disabilities, mental health, addiction treatment and women's health initiative facilities over the next two fiscal years.

The fast-tracked budget, which will receive first hearings in both chambers on Tuesday, also includes \$150 million in community projects - \$20 million more than the original funding target - \$600 million for school facilities, \$514 million for local infrastructure projects and \$483 million for public colleges and universities.

The state will issue bonds to fund the spending.

The expanded health and human services support funding was added in response to the growing impact of the opiate epidemic, Senate President Larry Obhof (R-Medina) said.

"So where in the prior budgets you may have seen a few of these pop up, I think it's on the minds of a lot of people and we all recognize that these are some of the more important issues facing the state of Ohio and these are some of the things we chose to prioritize."

Some of the projects set to receive a chunk of the \$222 million are Alvis House and Maryhaven in Columbus, President Obhof said. The respective \$300,000 and \$125,000 projects would add about 260 additional treatment beds for addicts in Franklin County.

"We see these things throughout the state and not just in Franklin County, in Cuyahoga and Hamilton counties but in some of rural areas as well," Sen. Obhof said. "There are number of requests that are being funded from members throughout the state of Ohio for things like that."

Of the total allocation for such infrastructure plans, \$20 million will be provided through competitive grants, which were proposed by Gov. John Kasich. (See Gongwer Ohio Report, February 12, 2018)

So-called community resiliency projects that focus on expanding spaces for youth programming would receive the funding, said Senate Finance Committee Chairman Scott Oelslager (R-N. Canton). The Department of Mental Health and Addiction Services and local groups will likely select the recipients.

"We recognize the need there and listened very carefully to the community," he said of the funding dedicated to combatting the opiate epidemic and related issues.

While that area of the budget saw a boost, overall capital appropriations shrunk by about \$10 million from the last budget, Sen. Obhof said. He's hopeful, however, that it will have a similar reach.

"We think that due to sound fiscal management and the hard work we put in in the main operating budget last year, we do have the capacity for the bonding and the funding of various projects throughout the state that you see in the bill," he told reporters after the legislation was introduced.

Leaders of both parties in each chamber worked together to iron out the details prior to the measure's introduction Monday, making it ripe for quick passage.

President Obhof said he expects a Senate vote on the House version - which will serve as the vehicle for the budget - in the week before spring break, which is set to begin in late March.

Local projects were brought forward by individual members for consideration while community colleges and universities created their own priority funding packages. (See Gongwer Ohio Report, November 22, 2017)

"This capital budget will give the legislature a tremendous opportunity to address several infrastructure and construction projects that will generate a positive return on investment for communities all across the state," Speaker Cliff Rosenberger (R-Clarksville) said in a statement. "I want to commend the members of the legislature and local leaders for their collaboration and commitment to helping improve the lives of so many Ohioans through this legislation."

The capital budget has historically drawn bipartisan support as lawmakers look to support money funneled to projects in their communities. That trend is expected to continue this year.

"As legislators, we review capital budget applications, meet with individuals and organizations and visit project sites. You can't help but become passionate about what we can do to invest in Ohio's infrastructure and improve the community," Senate Minority Leader Kenny Yuko (D-Richmond Heights) said. "Although it's unfortunate that we can't fund every much-needed community project that comes to our attention, I am happy with the progress that will be made through the capital budget."

If the capital bill process follows those of prior years, no major changes will occur during deliberations unless there are problems with the bill. The last several capital budgets passed with few if any amendments once they were introduced.

### **Cardinal Health Among Drug Distributors Targeted In Latest DeWine Opioid Suit**

Attorney General Mike DeWine on Monday announced that he has filed a lawsuit against four drug distributors for their role in the opioid epidemic.

The lawsuit, filed in Madison County Common Pleas Court, alleges that the drug distributors were negligent in over-supplying addictive opioid prescription drugs.

"We believe the evidence will show that these companies ignored their duties as drug distributors to ensure that opioids were not being diverted for improper use. They knew the amount of opioids allowed to flow into Ohio far exceeded what could be consumed for medically-necessary purposes, but they did nothing to stop it," AG Mike DeWine said in a statement.

"And much like the drug manufacturers who continue to fail to do the right thing, these distributors are doing precious little to take responsibility for their actions and help pay for the damage they have caused."

Named in the lawsuit are McKesson Corporation, Cardinal Health and its subsidiaries, AmerisourceBergen Drug Corporation and Miami-Luken, Inc.

Cardinal Health in a statement said it has been cooperating to "alleviate the public health crisis and save lives" through a multi-state effort led by 40 attorneys general and a multi-jurisdictional effort in Cleveland.

"We are extremely disappointed that Attorney General DeWine chose to go outside of these established processes at this critical moment in time to file this unfounded lawsuit," the company said in a statement.

The company went on to say that it cares deeply about the opioid epidemic and that there must be work toward meaningful solutions.

"This is why we launched our Opioid Action Program which augments our substantial efforts to combat opioid abuse and is providing funds and support for take back efforts, Narcan giveaways for first responders, and grants for communities looking to find holistic solutions to this public health issue throughout Ohio," it said.

"Cardinal Health has made a significant investment in state-of-the-art controls to effectively combat the diversion of pain medications from legitimate uses. We believe this kind of effort and investment, and not baseless litigation, is the way to alleviate this problem."

The lawsuit alleges that the companies fueled the opioid epidemic by distributing enough of the drugs to fill more than 11.8 million prescriptions from 2011 to 2016, amounting to dosages that averaged more than 739 million each year.

The drug epidemic has resulted in annual damages in excess of \$1 billion, the lawsuit alleges. Those costs include medical care; treatment for infants born with opioid-related medical conditions; public safety measures; substance abuse prevention; and welfare and social services for the children of addicted parents.

The lawsuit also alleges that more than 7,000 Ohioans have died due to the opioid crisis.

The companies "have supplied and continue to supply quantities of prescription opioids in and around Ohio without taking proper measures based on their actual or constructive knowledge that individuals were consuming opioids for non-medical purposes," the lawsuit reads.

Among the remedies Mr. DeWine is seeking are punitive and compensatory damages.

This marks the second lawsuit the AG has filed against drug companies over the opioid crisis. (See Gongwer Ohio Report, May 31, 2017)

### **Nearly \$29M In State IT Funding Clears Controlling Board**

Controlling Board members Monday approved more funding for state information technology projects after raising questions about performance-based contracts and the state's savings from consolidating services.

The requests from the Department of Administrative Services included one worth nearly \$24.8 million for the state's main IT services delivery line item, which has increased over the years due to the consolidation, DAS Chief Financial Officer Jennifer Leymaster told the board.

The other request, for \$4.4 million, dealt specifically with a pair of projects involving nine agencies, she said.

Rep. Scott Ryan (R-Newark) asked if the state's IT contracts have performance clauses for the timing of delivery or for the accountability of functions.

The request Monday didn't deal with specific contracts, just the appropriation changes needed to cover contract costs, Ms. Leymaster said.

"We'd be happy to see if individual contracts have the type of controls that you're asking about," she said.

Ms. Leymaster told Sen. Charleta B. Tavares (D-Columbus) that the projects are part of a broader optimization project that has saved the state more than \$160 million since its inception.

The board also approved two significant funding requests from the Development Services Agency to support affordable housing after Sen. Bill Coley (R-Liberty Twp.) asked about cost containment measures and access for people with disabilities.

The requests included \$13.6 million for the Ohio Housing Finance Agency to administer the Housing Development Assistance Program, and \$5.5 million for housing assistance programs across the state.

Kelan Craig, director of planning, preservation and development at the Ohio Housing Finance Agency, said the administration has worked to ensure projects are done effectively at low cost.

As for accessibility for people with disabilities, there are specific requirements for projects targeted at seniors and for permanent supportive housing developments, but not for standard affordable housing, he said.

"Let's just watch that and make sure we don't have a problem with that," Sen. Coley said.

A request by the Department of Mental Health and Addiction Services for \$1.1 million to replace the emergency generator at Appalachian Behavioral Healthcare in Athens was approved after Sen. Coley asked about the hospital's involvement in plans to participate in peak demand emergency programs.

Stephen Wilson, legislative liaison for ODMHAS, said the state found it would only save a couple thousand dollars to participate in the utility's peak demand program, while placing strict requirements on hospital staff.

Sen. Coley said the programs can help other facilities, such as industries and schools, when the power goes down.

"Hospitals around the state are finding great benefits to these programs," he said.

In total, the board approved 82 requests for funding.

Other items approved included: (Agenda)

- \$2.9 million - Central State University - for repair and modernization of the Hallie Q. Brown Memorial Library.
- \$11.7 million - Cleveland State University - to contract for an addition project at Fenn Hall.

- \$1.9 million - Cuyahoga Community College - to buy 12.82 acres of real estate in Euclid for the expansion of the Transportation, Distribution and Logistics Academy.
- \$1 million - Adjutant General's Department - for masonry renovation and HVAC work at the Hamilton Readiness Center in Butler County.
- \$4.6 million - DAS - for administration of the Multi-Agency Radio Communication System.
- \$2.3 million - Department of Agriculture - for lab supplies and equipment.
- \$1.1 million - Department of Mental Health & Addiction Services - for emergency generator replacement at Appalachian Behavioral Healthcare in Athens.
- \$1.6 million - Bureau of Motor Vehicles - for federal grants to purchase and install document scanners and update existing computer systems to confirm commercial driver's license applicants provided proof of citizenship or permanent residency.
- \$10.5 million - Facilities Construction Commission - for master facilities plan amendments from Elida Local School District and Bloom-Carroll Local School District.

### **Adult Charge Stemming From Juvenile Conviction Challenged At High Court**

Can a juvenile adjudication be used to satisfy an element of a crime committed as an adult?

Anthony Carnes will argue that it can't in a case the Ohio Supreme Court is set to hear Tuesday.

Mr. Carnes was charged with a third-degree felony offense of weapon-under-disability based on a 1994 juvenile adjudication. He moved to have the charge dismissed, but the trial court denied his motion.

The First District Court of Appeals upheld the trial court's decision. But Mr. Carnes argued that both court erred in their decisions.

"Simply put, juvenile adjudications are not criminal convictions and should not be viewed as such. This conclusion is reinforced by the fact that Ohio's juvenile system uses two different approaches, one mandatory and one discretionary, to transfer its most severe offenders into the adult system, and has a process to include an adult sentence with a juvenile rehabilitation for the next most serious level of offenders," his merit brief reads.

"In line with that approach, this court has prohibited juvenile adjudications from increasing punishment for subsequent adult conduct. Given that framework, it is incongruous for such adjudications to be permitted to turn what would otherwise be lawful conduct into a crime. Thus, a juvenile adjudication should not be deemed to meet an element of an offense charged against an adult."

The Juvenile Law Center and the Buckeye Firearms Association both weighed in on the case on behalf of Mr. Carnes.

"Individuals with Ohio juvenile adjudications do not fit into the long standing prohibition on the possession of firearms by felons because they simply are not felons by definition," the BFA wrote in its amicus brief.

The state, however, argues that a juvenile adjudication cannot be used to enhance a penalty, but it can be used as an element of a crime. The state also contends that if the court were to side with Mr. Carnes it would gut the state's law prohibiting the possession of a weapon under disability.

Under the law, "there are multiple means of being placed under a disability that do not include the right to a jury trial: being a fugitive from justice, being under indictment for a felony offense of violence, being under indictment for a felony drug offense, being drug dependent or in danger of drug dependence, being a chronic alcoholic, and being adjudicated mentally incompetent. Just as is the case with a juvenile adjudication, none of those situations carries a right to a jury trial - state," the state writes.

The Cuyahoga County Prosecutor's Office has also asked the court to affirm the First District ruling.

"Persons who commit violent felony offenses are considered bad risks who should not be allowed to legally possess a firearm. The fact that a person who commits the violent felony offense as a juvenile does not make that person any less of a bad risk," it wrote in an amicus brief.

"But Ohio's weapons disability law recognizes that people can turn their lives around and become law-abiding citizens after committing a single indiscretion or even after committing a series of crimes decades ago. That person can legally possess a firearm after following the appropriate statutory remedy; but until that time, the person should not be able to possess a firearm under Ohio law."

Three district court judges will be involved in the case because Justice Sharron Kennedy, Justice Patrick Fischer and Justice Patrick DeWine have recused themselves.

Justice DeWine concurred in judgement only with the First District's opinion upholding the trial court's decision to deny the motion to dismiss the charge.

The high court is set to hear two other cases Tuesday, it reported:



- In *Ohio Bureau of Workers' Compensation v. Cirino*, it will hear a case involving a Bureau of Workers' compensation beneficiary challenging the electronic payment program because he is charged fees by his bank. The state argues the case must be filed in the Court of Claims.
- A Columbus attorney is facing a six-month stayed suspension for failure to keep and maintain required financial records in the case of *Columbus Bar Association v. Keating*.

### **Ohio Groups Debate Trump's Short-Term Health Plan Proposal**

A Trump administration proposal to expand options for short-term health insurance is designed to give consumers more options in the marketplace without the regulatory burden of current plans.

Opponents say it could lead to more limited coverage and raise premiums for people on standard-exchange plans.

The proposal by the federal Centers for Medicare and Medicaid Services, announced last week, would allow short-term, limited-duration health insurance plans to provide coverage for up to 12 months, up from the current maximum of three months.

These plans are not required to meet the federal requirements for individual health insurance, such as providing essential health benefits or coverage for people with pre-existing conditions.

"In a market that is experiencing double-digit rate increases, allowing short-term, limited-duration insurance to cover longer periods gives Americans options and could be the difference between someone getting coverage or going without coverage at all," CMS Administrator Seema Verma said in a statement.

In Ohio, the move will provide more competition in the marketplace for health insurance, said Greg Lawson, research fellow at the Buckeye Institute.

"It's not going to be a perfect fit for everybody, but for those individuals that it works for, this could be something that could work for you, and it would be a cheaper alternative than being forced into the exchange," he said in an interview.

Critics say the change will erode coverage for people who sign up for the short-term plans and drive up premiums for those who need the more comprehensive coverage of Affordable Care Act-compliant plans.

"These short-term plans are likely to be harmful in the long run," said Steven Wagner, executive director of UHCAN Ohio. "Since they may lack meaningful coverage, people may find that their health care costs are not covered or face substantial out of pocket costs. These plans are a step in the wrong direction."

A report by the Urban Institute estimated the change would lead to an increase of 2.5 million people without minimum essential health care coverage by 2019, and an increase of 18.2% in 2019 premiums for ACA-compliant nongroup insurance plans.

The changes would allow people to shop around for the coverage they want, Mr. Lawson said. The Buckeye Institute and others have criticized the ACA exchanges for placing burdensome regulations on insurers and raising premiums.

"In general, what this will allow is you can have more barebones type policies that are more affordable," he said. "I don't think this is necessarily the pathway that we would prefer to see on a permanent basis but given the fact that the affordable care act is still the law of the land, this does give some breathing space."

Mr. Wagner said those requirements ensure people have comprehensive insurance coverage. He called the latest change part of an effort to eliminate coverage requirements created under the ACA.

"The Trump Administration is eating away at the foundations of health care coverage like termites in the foundation," he said. "This change along w the ability to alter the essential health benefits weakens people's access to quality affordable health care."

#### **Travel Trailer Maker Tops List Of Tax Credits Issued By State Panel**

The Tax Credit Authority on Monday approved incentives for four projects that promise to create a total of 475 jobs and retain another 1,405 positions, the Development Services Agency reported.

The \$2.81 million in tax credits, an estimate that depends on the companies meeting their hiring goals and other criteria, are projected to help trigger \$41 million in investments and result in more than \$24 million in new payroll, according to the state.

Topping the list in terms of impacted jobs and tax credit value is the \$2.325 million incentive for **Airstream, Inc.** in the Village of Jackson Center in Shelby County.

The designer and manufacturer of travel trailers and touring coaches expects to create 280 full-time positions generating \$14.8 million in new payroll while retaining \$57.2 million in payroll with its expansion project. The TCA approved a 1.874%, nine-year Job Creation Tax Credit for the plans.

The other approved projects (estimated tax credit values) are:

**Sedgwick Claims Management Services, Inc.** of Hilliard (Franklin Co.). The provider of claims, productivity, managed care, risk consulting and other services expects to create 109 full-time positions generating \$4.3 million in new payroll while retaining \$13.4 million in payroll. The expansion plans attracted a tax credit of 1.31% over seven years (\$400,000).

**Veeva Systems Inc.** of Dublin (Franklin Co.) plans 46 new jobs, \$3.5 million in new payroll and the retention of \$2.1 million in payroll with its expansion. TCA awarded a 1.62%, seven-year tax credit for the project (\$355,000).

**Modular Assembly Innovations LLC** of Allen Township (Union Co.), which plans 40 new jobs, \$1.4 million in new payroll and the retention of \$7.6 million in payroll. The provider of manufacturing and modular assembly services to the automotive industry was awarded a 1.055%, six-year JCTC (\$90,000).

### **Kasich Declares Emergency As Flood Risks Continue**

Two days after Gov. John Kasich declared a state of emergency in 17 counties, areas of Ohio are continuing to grapple with flooding.

On Saturday, the governor issued his emergency declaration in the face of flooding - particularly along the Ohio River, which was expected to crest Monday.

Although rains have stopped, flood waters linger in some areas, closing roads and posing ongoing safety risks. The National Weather Service has said flood warnings are expected to persist for several more days in the central U.S. as "numerous river systems will remain in flood stage this week."

"As the weather and flooding is expected to get worse we're staying ahead of things by taking our readiness up to the next level and declaring an emergency where we expect the worst conditions," Gov. Kasich said over the weekend. "We'll quickly add to those areas as it's needed."

Counties affected by the proclamation include: Adams, Athens, Belmont, Brown, Clermont, Columbiana, Gallia, Hamilton, Hocking, Jackson, Jefferson, Lawrence, Monroe, Meigs, Muskingum, Scioto and Washington.

The state's Emergency Operations Center had been preparing for this round of flooding since at least Feb. 18. That's the day the Ohio EMA Watch Office began providing regular awareness reports multiple times a day to state, local and federal agencies.

In recent days meals have been provided to the elderly by the Department of Aging, emergency management liaisons have been dispatched to assist county-level operations centers, and swift water rescue teams have been positioned.

"Ohioans do a good job of looking out for each other and we're doing it again now also," Gov. Kasich said. "Teams at the local level are hard at work and state teams have been coordinating with them and supporting them over the past week."

Following the Kasich order, the EMA transitioned from assessment and monitoring to partial activation and the state's Joint Information Center was opened. That followed Ohio National Guard deployments to help install flood gates and a flood wall in Scioto County.

In recent days, state entities have assisted in providing sand bags and a water pump to communities in Lawrence County. A major rockslide on Monday closed a portion of a highway in that county, according to the Ohio Department of Transportation. State geologists were on the scene.

"I urge people to stay safe by staying informed, not taking any chances and checking in on your neighbors, especially seniors and families with young kids," the governor said. "Call your local city, county or Red Cross if there's anyone who needs help. We'll get through this as we always do, by working together."

At the same time, Attorney General Mike DeWine has issued several tips to steer residents away from flood-related scams that may arise.

"As people across Ohio assess the damage and start the clean-up process, we're reminding consumers to beware of scams," Mr. DeWine said. "Some con artists travel to affected communities to take advantage of people. They offer to help, but once they get your money, they're gone. After the flooding, we also could start to see flood-damaged vehicles entering the market. We just warn people to be careful."

### **Cyberattack Temporarily Shuts Down State Websites, Phones**

The Department of Administrative Services is making modifications after a cyberattack blocked state websites and phone systems for multiple hours Sunday evening.

DAS spokesman Tom Hoyt said the attack was launched shortly after 5:30 p.m. Sunday and "was addressed quickly and remediated at approximately 9:50 p.m."

"It was not a breach - no personal information was compromised," Mr. Hoyt said.

Several accounts seemingly affiliated with the so-called "hacktivist" group Anonymous appear to be taking credit for the attack on social media. Anonymous-linked users posted screenshots showing error pages that appeared when trying to access state websites.

The attack was a denial-of-service attack, which is a concerted effort in which users bombard a targeted system with requests, thereby overloading and disabling it for legitimate users.

"The attack itself was educational in the sense that we now know how this type of attack is done and we can put in filters and prepare to help us be ready if it happens again," Mr. Hoyt said. This is the first time DAS has grappled with this specific method of a denial-of-service attack.

"These types of attacks can be done in different ways so we're aware of them and prepare for them," Mr. Hoyt said. "This was conducted in a different way, but once you go through that, you learn how it's done and we can prepare for the next time."

It's not the first time the state has been faced with a cyberattack.

Nearly a dozen state websites were impacted last year after hackers posted pro-ISIS messages on state homepages. That "internet graffiti-style" attack, however, was believed to be surface-level in nature with hackers not accessing the state's servers. (See Gongwer Ohio Report, June 26, 2017)

### **Environmental Group Calls For Setback, Chemical Reporting Changes Following Well Fire**

The Ohio Environmental Council is pointing to a Feb. 15 explosion and fire at a Belmont County oil well as new evidence pointing to the need for increased well setbacks.

But a leading oil and gas group is accusing the council of seeking to block industry development with its latest call for new legislation.

A horizontal well operated by XTO caught fire earlier this month, causing explosions and leading to the evacuation of residents within a one mile perimeter as the well continued to leak methane and other gasses.

XTO has said it has contracted with various companies to monitor the area and oversee cleanup operations. It has also paid to house 100 households who were displaced. Those residing beyond a half mile from the site have since been moved back into their homes.

The OEC said the incident is a "wake up call" demonstrating a need to strengthen Ohio's current law requiring horizontal wells to be located at least 100 feet from rural homes.

"What this incident demonstrates is that Ohio's current setback laws for horizontal oil and gas wells are clearly insufficient and do very little to protect communities from this new wave of oil and gas development," said Melanie Houston, director of climate programs at the Ohio Environmental Council. "Given the frequency of horizontal well pad incidents in Ohio over the past five years, it is past time for Ohio lawmakers to reconsider a safer setback distance."

The group said the incident also shows the need to examine laws requiring well operators to disclose hazardous chemicals to emergency responders. That debate was a point of contention during budget talks last year. (See Gongwer Ohio Report, April 14, 2017)

"State lawmakers also must close the chemical reporting loophole in Ohio law to make sure that first responders such as those responding to last week's incident can get the full accounting of chemical identities during oil and gas emergencies," Ms. Houston said.

The Ohio Oil and Gas Association, however, said 2012 legislation in that arena "created one of the most stringent regulatory programs for chemical disclosure in the nation."

That bill (SB315, 129th General Assembly) was a far-reaching energy mid-biennium review measure that strengthened requirements. But Democrats and environmental groups at the time said it didn't go far enough with its chemical disclosure provisions. (See Gongwer Ohio Report, May 24, 2012)

"The bill required chemical disclosure to all first responders, providing access to the information that they need and allowed (the Ohio Department of Natural Resources) to ask for additional chemical information when there is an incident," said Matt Hammond, OOGA's senior vice president.

As far as the idea of increased setbacks, the organization accused OEC and its allies of attempting to use a setback increase to snuff out oil and gas development.

"We have all heard the calls for increased setback distances since 2003 and found that environmental groups have supported setback distances for the sole purpose to offend the property rights of landowners and effectively block oil and gas development," Mr. Hammond said.

#### **Schiavoni, Williams Plan Firearm Removal Bill; Yost Unveils School Safety Plan; High Court Hears Janus Case; Kucinich Continues Gun Push...**

Sen. Joe Schiavoni (D-Boardman) and Sen. Sandra Williams (D-Cleveland) on Monday announced their intention to introduce a bill allowing for the removal of firearms from people deemed to be an imminent danger to themselves or others.

The proposal would establish an Extreme Risk Protection Order that would allow family or law enforcement to ask a court to temporarily remove firearms for up to one year.

"Family members are often the first to know when a loved one starts showing signs that they're dangerous to themselves or people around them," Sen. Schiavoni, a Democratic gubernatorial candidate, said in a statement. "Sadly, there aren't many options available to be proactive, remove weapons and prevent those moments from becoming tragedies. This bill is common sense. It provides a clear process when loved ones notice those red flags."

Five other states have similar laws. In announcing the intention to introduce the measure, the lawmakers cited Gov. John Kasich, who in a recent television interview expressed support for ERPOs.

"I am pleased to see the conversation turn and the mood shift toward sensible gun safety measures in Ohio," Sen. Williams said. "I'm also pleased to see Gov. Kasich supporting efforts to combat gun violence. We know how to reduce gun violence in America while still respecting the Second Amendment. This bill is a step forward in that direction."

**School Safety:** State Auditor Dave Yost on Monday rolled out a three-point school safety plan centered on securing buildings.

The attorney general hopeful's plan calls for a statewide inventory of security measures at all 5,200 school buildings across the state and a bond-backed program to modify them to create a single point of entry, install electronic zoned locking systems and add video cameras.

The final piece of the plan calls for the establishment of a training program for school staff volunteers with prior military or law enforcement experience.

"We need to protect our kids at school at least as well as we protect our politicians at work," Auditor Yost said in a statement. "This program takes the same proven tactics and technology we use in government offices-and many private businesses-and puts them to work in our schools, where our greatest treasures are."

**Janus Case:** A day ahead of the U.S. Supreme Court hearing oral arguments in a case that could have far-reaching implications for public sector unions, hundreds gathered on the Statehouse lawn for the "Working People's Day of Action."

The event also comes in the wake of six pieces of legislation introduced in Ohio to revise collective bargaining laws.

"The Ohio Legislative Black Caucus stands in solidarity with labor and working people," Ohio Legislative Black Caucus President and Rep. Stephanie Howse (D-Cleveland) said in a statement. "Right to Work is wrong and has no place in the state of Ohio. Fair labor practices, equitable pay, representation in the workplace and building power through unity are essential to making Ohio stronger, and should be a guaranteed right to all who are willing to work."

Buckeye Institute President Robert Alt said the questioning by Justice Anthony Kennedy during oral arguments should leave union supporters concerned.

"Given how frequently Justice Kennedy is in the majority, his questions have to be a cause of concern for those seeking to continue the practice of forcing public servants to pay for union speech with which they may disagree," he said.

**Gun Control:** The gubernatorial campaign of Dennis Kucinich continues to put gun control in the spotlight.

In the latest move, Mr. Kucinich's running mate, Akron City Councilwoman Tara Samples, plans to introduce a measure to urge state lawmakers to pass a ban on assault weapons.

"Dennis and I, with the help of more than 2,000 grassroots volunteers, are working to convince every city council and every board of education all across Ohio to support getting these killing machines off our streets," she said in a statement. "I couldn't be more proud that my own community is about to become the first in Ohio to take this step."

**New Polling:** A Suffolk University/*USA Today* poll released Monday found strong support for additional gun restrictions, including 63% of respondents who want semi-automatic weapons banned.

Another 76% said that people treated for mental illness should be banned from owning firearms and 61% said stronger gun control law and background checks could prevent more mass shootings.

The poll also found that 62% believe schools should be required to have metal detectors and 58% believe there should be a requirement that schools have a armed police officer stationed on campus.

However, just 19% believe the prospects of Congress passing gun-control measures are good to excellent and 25% believe there is a fair chance for legislative action. Another 51% said the chances are poor.

"Voters see a Congress that is deaf to their wishes about remedying gun violence in the United States," said David Paleologos, director of the Suffolk University Political Research Center in Boston

The nationwide survey of 1,000 individuals, which has a margin of error of 3%, also found that President Donald Trump's approval rating stands at 38%, down from 47% one year ago.

"President Trump's job performance ratings have had several ups and downs in the past year, with last March's relatively strong showing coming in the aftermath of a well-received speech to Congress," Mr. Paleologos said. "The bump he got after signing the tax bill in December appears to have been overwhelmed in light of young people challenging him on gun issues and the investigation of Russian meddling in U.S elections."

**ODP Training:** The Ohio Democratic Party announced Monday that more than 110 candidates took part in its "Main Street Initiative," which provides training and support to candidates.

"What Democrats are seeing nationally, we're seeing here in Ohio, too - the unprecedented energy and enthusiasm of the grassroots is turning into record numbers of Democratic candidates running in races up and down the ballot," ODP Chairman David Pepper said in a statement. "We're proud to support our state and local candidates when they run for office, as we build our bench of great public servants. We look forward to working with our 2018 'Main Street' candidates from now through Election Day and then touting their successes once they're in office."

## **Governor's Appointments**

**State Auctioneers Commission:** Theresa M. Blocher of Paris for a term beginning February 26, 2018, and ending October 9, 2020.



**Board of Nursing:** Lauralee S. Krabill of Sandusky and Patricia A. Sharpnack of Chardon for terms beginning February 26, 2018, and ending December 31, 2021

## **Supplemental Event Planner**

### **Monday, March 5**

One Ohio Now news conference on state data ahead of the State of the State Address, Ladies Gallery, Statehouse, Columbus, 1 p.m.

### **Wednesday, March 7**

Rep. Martin J. Sweeney (D-Cleveland) fundraiser, Dempsey's, 346 S. High St., Columbus, 5:30 p.m., (Marty, We Love You; \$1,000-\$5,000; Best Buddy; \$500; Good Pal; \$100 Friend: \$25 to Friends of Martin J. Sweeney)

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Click the  after a bill number to create a saved search and email alert for that bill.

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**Sent:** Tuesday, February 27, 2018 10:31 AM

**To:** Griffin, Lisa

**Subject:** Cap to Cap: This Week: Gun Control and Remembering the Rev. Billy Graham

**Follow Up Flag:** Follow up

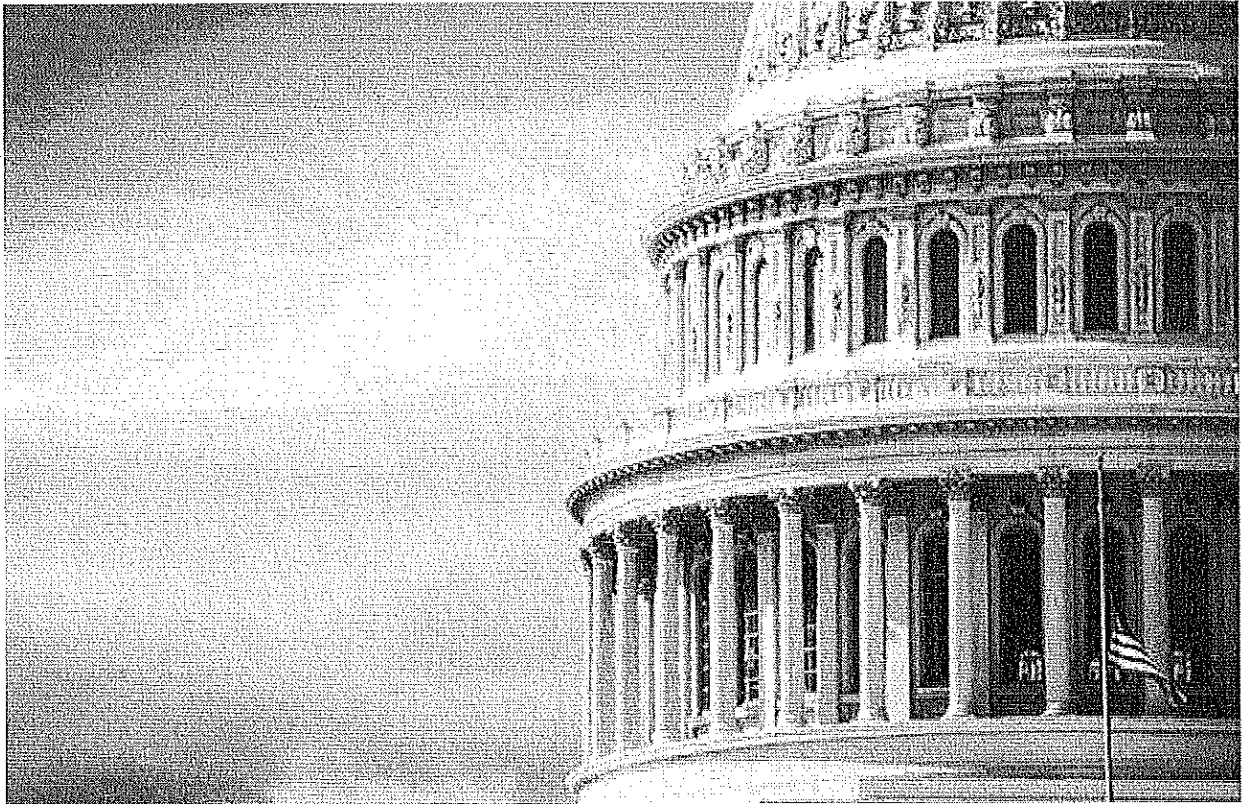
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**Capitol to Capitol**

NATIONAL CONFERENCE of STATE LEGISLATURES



Feb. 27, 2018

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**House Republicans Signal Willingness to Negotiate with Senate on Banking Reform Measures**

**Also of Note...**

**This Week: Gun Control and Remembering the Rev. Billy Graham**

Congress returned yesterday from its Presidents' Day recess, which was dominated by the issue of gun control. Since the Feb. 14 shooting at Stoneman Douglas High School in Parkland, Fla., the nation has been immersed

in an intense debate on what to do to prevent future school shootings. However, don't expect Congress to act this week. While the Senate will be in session all week, the House will conclude business today to make way for the remembrance of Rev. Billy Graham, who will become only the fourth private citizen to lie in honor in the Capitol Rotunda on Wednesday and Thursday.

### **US Supreme Court Hears Arguments in Union Dues Case**

Perhaps the most significant debate on Capitol Hill this week will take place yesterday in the U.S. Supreme Court. The decision could not only affect every member of a public sector union but also result in the largest shift in federal education policy in 40 years.

On Monday, the U.S. Supreme Court heard oral argument in Janus v. American Federation of State, County and Municipal Employees (AFSCME) Council 31. Mark Janus, a public-sector employee in Illinois, is challenging the constitutionality of a state statute allowing public sector employers and unions to agree that employees who don't join the union must still pay their "fair share" of collective bargaining costs. Janus argues that requiring him to pay his "fair share" of union dues is a violation of his First Amendment free speech rights. Janus asserts he should have the choice to join or not join, pay or don't pay.

Since 1977, when the US Supreme Court ruled in Abood v. Detroit Board of Education, public employees subject to fair share agreements have been required to pay for union representation, even if the worker doesn't join the union.

It is estimated that Janus v. AFSCME could impact 5.5 million public sector employees. The ruling could alter the relationship between labor and management, nationwide union membership and dues collection. At present, 22 states authorize fair share for public sector employees.

The Janus decision may have an outsized impact on public education given that two of the three largest public sector unions in the nation relate to education—the National Education Association and the American Federation of Teachers. Employees in education had the highest unionization rate of all sectors, with 37.2 percent being represented by a union.

On Dec. 5, attorneys general in 20 states (Michigan, Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Kansas, Louisiana, Missouri, Nebraska, Nevada, Oklahoma, South Carolina, Tennessee, Texas, Utah, West Virginia, and Wisconsin) filed an amicus curiae brief in support of Janus. On Jan. 19, attorneys general in 20 states (New York, Alaska, Connecticut, Delaware, Hawaii, Iowa, Kentucky, Maine, Maryland, Massachusetts, Minnesota, New Jersey, New Mexico, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia and Washington) and the District of Columbia filed an amicus curiae brief in support of AFSCME.

In 2016, the U.S. Supreme Court considered a similar case Friedrichs v. California Teachers Union. With the death of Justice Antonin Scalia, the Court deadlocked with a 4-4 decision. Justice Gorsuch could be the swing vote to overturn Abood. A decision is expected by the end of June.

**NCSL Contacts:** Jon Jukuri (labor), Joan Wodiska (education)

**DYK?** Sunday marked the 25th anniversary of the first terror attack on the World Trade Center. The attack, which killed six people and injured more than a thousand others, involved Islamic terrorists who blew up a 1,200 pound bomb in an underground parking garage in an attempt to collapse the twin towers.

### **White House Meeting on School Safety**

In the wake of the Parkland, Fla., school shooting, last week President Donald Trump, Vice President Mike Pence, and Secretary of Education, Betsy DeVos met with more than 40 survivors, teachers and community members to discuss strategies to reduce school violence. In the meeting, the president expressed his support to improve federal background checks on gun purchases, equip school staff with firearms and explore other avenues to improve school safety. The president also issued a Presidential Memorandum directing the U.S. Department of Justice to "expeditiously as possible, to propose for notice and comment a rule banning all devices that turn legal weapons into machine guns." An official federal regulatory review of the "bump stock" rule began last fall, following the deadly shooting in Las Vegas, Nev. Over 100,000 comments were received and are being reviewed by the Justice Department.

**NCSL Contact:** Joan Wodiska

### **Supreme Court to Hear Online Sales Tax Case in April**

On Friday, the Supreme Court set the argument date for the South Dakota v. Wayfair remote sales tax case for Tuesday, April 17. If the court rules in the South Dakota's favor, every state could be granted the authority to require remote businesses to collect and remit sales taxes on transactions made by their state's residents. If South Dakota loses, the long-term viability of the sales tax as a state revenue stream for states may be in jeopardy. For more, visit NCSL's page that summarizes the case as well as the history of remote sales tax collection issue in the states.

**NCSL Contacts:** Max Behlke, Jake Lestock

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Before Congress recessed, and before the re-emergence of the gun control debate, a fierce debate on immigration consumed Capitol Hill. However, lawmakers on Capitol Hill failed to reach a consensus on the

issues of immigration reform, border security and the "Dreamers" and there is still no clear path forward for a comprehensive deal. In the Senate, neither of the four immigration-related proposals cleared the 60 vote threshold needed to advance legislation and it is unlikely that any proposal from the House would be entertained by the Senate.

While the president had set March 5 as the deadline for Deferred Action for Childhood Arrivals (DACA) recipients, at which point he would terminate the program, federal district judges in California and New York have delayed that possibility, thus allowing more time for negotiators to work out a deal. On Monday morning, the U.S. Supreme Court denied the administration's request to rule on the legality of DACA in advance of a U.S. Circuit Court decision. In a one sentence denial of the administration's request, the Court stated, "[I]t is assumed that the Court of Appeals will proceed expeditiously to decide this case." The Court of Appeals is expected to rule on the injunction as early as April.

**NCSL Contact:** [Susan Frederick](#), [Lucia Bragg](#)

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**NCSL Contact:** Susan Frederick, Lucia Bragg

**DYK?** Since 1870, when Senator Hiram Revels of Mississippi and Representative Joseph Rainey of South Carolina became the first African Americans to serve in Congress, a total of 153 African Americans have served as U.S. Representatives, Delegates, or Senators.

## **Congressional Appropriators Race to March 23 Deadline**

The Bipartisan Budget Act of 2018 included the fifth continuing resolution (CR) for fiscal year (FY) 2018 and set new spending caps on how much the government can spend through FY 2019. Now, lawmakers have just four weeks to craft the 12 annual appropriations bills, or one combined omnibus bill, before March 23 when the government is at risk of another government shutdown. To make things even more complicated, the budget deal also had several informal agreements that were agreed to, but did not give specifics. This includes yearly funding of:

- \$3 billion to "fight against the opioid and mental health crises."
- \$10 billion for infrastructure.
- \$2 billion to "rebuild and improve" veteran's health care.
- \$2 billion for "college affordability."

- \$2.9 billion for the child care development block grant.
- \$1 billion for the National Institutes of Health.

Now, appropriators will have to translate how this funding will look while the party leaders act as chaperones to make sure everybody complies with the deal's stipulations. This also may be the last major legislative vehicle of the year, so you can bet lawmakers are rushing to get their priority bills added to the omnibus. The budget deal reached earlier this month also created a joint committee that is specifically tasked with "advancing reforms to the budget and appropriations process." Last week, House leaders made their selections on who would try to tackle this monstrous task. Speaker Paul Ryan chose Steve Womack (R-Ark.), Rob Woodall (R-Ga.), Jodey Arrington (R-Texas), and Pete Sessions (R-Texas), while Minority Leader Nancy Pelosi chose Nita Lowery (D-N.Y.), Lucille Roybal-Allard (D-Calif.), Derek Kilmer (D-Wash.) and John Yarmuth (D-Ky.). Senate leaders have yet to name their eight members to the reform committee.

NCSL Contacts: [Max Behlke](#), [Jake Lestock](#)

**DYK?** On Feb. 25, 1863, 155 years ago, President Abraham Lincoln signed the National Currency Act (later called the "National Bank Act"), which was the first attempt to establish a central bank following the failures of the First and Second Banks of the United States. The law aimed to address the hodge-podge of local banks, local money, and conflicting regulatory standards that existed before the Civil War. The act allowed for the creation of national banks, planned for a national currency, and gave the federal government the ability to sell war bonds and securities.

## House Republicans Signal Willingness to Negotiate with Senate on Banking Reform Measures

House Financial Services Committee Chair, Jeb Hensarling (R-Texas), appears to be open to negotiations with the Senate on Dodd-Frank rollback measures. Hensarling, who has a steady track record of wanting to wholly dismantle Dodd-Frank, now seems to be open to more moderate reforms in a strategic attempt to get legislation to the president's desk.

Hensarling's original banking reform legislation, the Financial CHOICE Act of 2017, would have removed significant portions of Dodd-Frank. His new strategy consists of multiple individual bills amounting to an a la carte offering of banking reform measures. House Republicans are hoping that this strategy is more palatable to moderate senators than the sweeping Financial CHOICE Act, which many deemed D.O.A. in the Senate last year after it passed the House.

In his attempt to work with the Senate, Hensarling seems willing to ease up on tough reform proposals designed to slash the Consumer Financial Protection Bureau—an agency that has proven to be a political



lightening rod since its Dodd-Frank inception in 2010. Bipartisan policies that seem to be on the table in both chambers include relaxing regulatory oversight of credit rating agencies and increasing capital holdings thresholds for small and mid-sized banks that currently require heightened scrutiny under Dodd-Frank.

These latest attempts to move bi-partisan banking reform legislation come at the chagrin of some Democrats who feel that such measures would amount to taking a step back after progress made in the post-Great Recession era. If the House and Senate can successfully negotiate the legislation, the president has signaled ardent support for legislation that rolls-back Dodd-Frank in any form.

**NCSL Contact:** Ethan Wilson

### Also of Note...

- Governors to Washington: Stop dithering on guns— POLITICO  
State leaders from both parties implored federal lawmakers this weekend to listen to their states' examples for responsible firearm legislation after the school shooting in Parkland, Fla., increasingly exasperated with the slow pace of debate and halting progress in the nation's capital.
- Trump's personal pilot 'in the mix' to lead the Federal Aviation Administration— Washington Post  
President Trump's personal pilot is "in the mix" to lead the Federal Aviation Administration, a White House official confirmed Sunday night.
- After testy call with Trump over border wall, Mexican president shelves plan to visit White House— Washington Post

Tentative plans for Mexican President Enrique Peña Nieto to make his first visit to the White House to meet with President Trump were scuttled this week after a testy call between the two leaders ended in an impasse over Trump's promised border wall, according to U.S. and Mexican officials.

- California Democratic Party doesn't endorse Feinstein re-election bid— Fox News

The California Democratic Party will not endorse Sen. Dianne Feinstein's re-election bid this year, with delegates at the party's annual convention giving the majority of votes to her top primary challenger, progressive State Sen. Kevin de Leon.

- [Read the Democratic rebuttal to the Nunes memo, annotated](#)— Washington Post

[Read the Feb. 12, 2018 Capitol-to-Capitol.](#)

Like Capitol-to-Capitol? Have ideas or suggestions for how it can be improved? Please take two minutes to let us know in [this very short survey!](#)

We are always looking for interesting trivia about states, legislatures and American history. If you have some great facts, don't keep them to yourself. Let us know by clicking [here](#). We will likely include them in a future edition of Capitol to Capitol!

If you have comments or suggestions, please contact [Max Behlke](#).

[Read More](#)

*Capitol to Capitol is a publication of the National Conference of State Legislatures. NCSL is recognized as a formidable lobbying force in Washington, D.C. NCSL works to protect states from unfunded federal mandates and unwarranted federal pre-emption of state authority, and seeks to provide state legislatures the flexibility they need to innovate and be responsive to the unique needs of their residents. NCSL's advocacy is guided by the [policy directives and resolutions adopted during NCSL's Legislative Summit](#).*



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**From:** NCSL TODAY

**Sent:** Tuesday, February 27, 2018 11:17 AM

**To:** Griffin, Lisa

**Subject:** What states are doing about gun laws in wake of Florida shooting

**Follow Up Flag:** Follow up

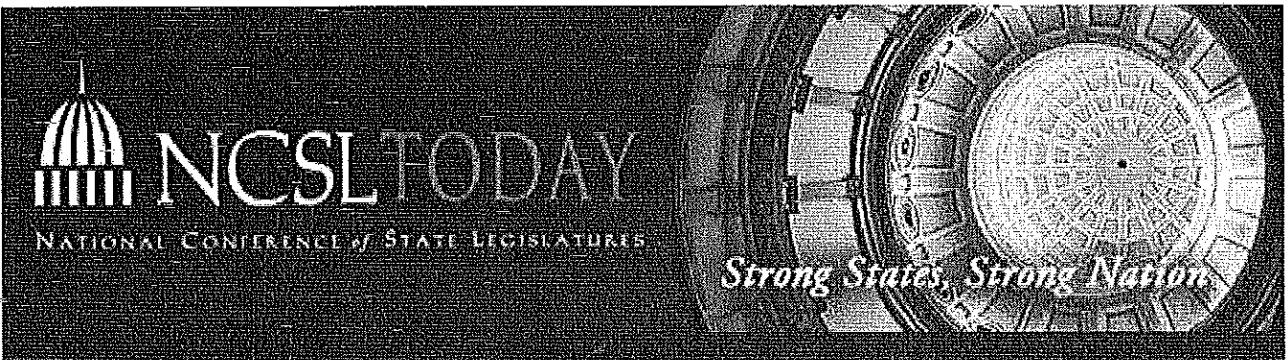
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## TOP NEWS Feb. 27, 2018

### What states are doing about gun laws in wake of Florida shooting

*The New York Times*

It is not just in Florida, where the mass shooting at a high school is prompting lawmakers to take up gun control legislation. The same thing is happening across the country, from Washington to Vermont.

[NCSL Blog post on carrying firearms in K-12 schools.](#)

### Supreme Court to hear online tax case April 17

Bloomberg

The U.S. Supreme Court will soon hear a long-simmering challenge about states' taxing authority over online retailers. And states should have the high court's answer by the start of summer. **NCSL brief cited.**

[NCSL resources on remote sales tax collection.](#)

### What the Supreme Court's ruling means for DACA and 'Dreamers'

*USA TODAY*

By refusing to hear a California case, the high court ensured that DACA will survive at least through the fall, giving DACA enrollees a temporary reprieve from deportation and Congress more time to craft a permanent solution for them.

[NCSL resources on DACA.](#)

### Iowa lawmakers move to allow health plans that skirt Obamacare rules

*The Des Moines Register*



### Net neutrality legislation in the states

Net neutrality legislation has been introduced in over half of the states, largely in response to the Federal Communications Commission Restoring Internet Freedom Order.



### 2018 legislative races by state and chamber

The Iowa Farm Bureau Federation could offer health insurance plans that don't comply with the federal Affordable Care Act under legislation advancing in the Iowa Legislature.

### **New Jersey lawmakers: Let inmates vote from prison**

*NJ.com*

State lawmakers on Monday announced legislation that would return voting rights to nearly 100,000 people locked up in prison or serving parole or probation. [NCSL resources on felon voting rights.](#)

### **Feds provide Connecticut schools money for new students from Puerto Rico**

*CT Mirror*

Connecticut schools scrambled to accommodate the new arrivals—most of them non-English speakers—without additional resources from a cash-strapped state government.

### **Webinar March 9: Fiscal 50 - How does your state rank?**

### **Price of democracy: Splitting the bill for elections**



### **Gorsuch silent during SCOTUS union dues oral argument**

If there ever was a case where the vote of only one Justice is likely to matter it is *Janus v. American Federation of State, County and Municipal Employees*. All attention was focused on Justice Neal Gorsuch this morning as the Supreme Court held oral argument in this case. And he was...silent.



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7700 East First Place, Denver, CO 80230

**From:** Westlake, Libby  
**Sent:** Friday, March 2, 2018 8:50 AM  
**To:** Westlake, Libby  
**Subject:** E-Clips for 3/2/2018

## HOUSE E-CLIPS

3/2/2018

**AP** Associated Press

### **BILL WOULD REQUIRE DRIVERS TO MOVE OVER FOR GARBAGE TRUCKS**

The Ohio House will consider legislation giving garbage trucks "move-over" protections in place for emergency vehicles.

### **NEXT PHASE OPENS IN OHIO'S \$8M OPIOID TECHNOLOGY CHALLENGE**

Ohio launched the second stage of its global technology challenge Wednesday aimed at finding solutions to the U.S. opioid crisis.

### **MORE THAN 131,000 ISSUED CONCEALED CARRY LICENSES IN OHIO**

Ohio's attorney general says more than 131,000 residents were issued licenses last year to carry concealed weapons.

### **OHIO BILL WOULD ALLOW PROTECTIVE ORDERS FOR DATING VIOLENCE**

A bipartisan bill allowing victims of dating violence to seek protective orders against alleged perpetrators is on its way to Ohio Republican Gov. John Kasich.

### **KASICH PROPOSES 'RED FLAG' LAW, OTHER GUN CHANGES IN STATE**

Gov. John Kasich on Thursday advocated a "red flag" law for Ohio, a ban on armor-piercing ammunition and other gun policy positions he says represent political consensus in a bellwether state that could fly nationally.

### **2 DEMOCRATS FOR OHIO OFFICES WANT OPEN REDISTRICTING PROCESS**

Two Democrats seeking statewide office in Ohio are pitching a plan they say would guarantee Ohio's redistricting process for congressional districts is more transparent to the public.

**The Columbus Dispatch**  
*Ohio's Greatest Online Newspaper*

### **FOR SCHIAVONI RUNNING MATE, DRUG CRISIS IS ALL IN THE FAMILY**

Ohio's opioid epidemic is so extensive that it's struck the families of at least two of those seeking statewide office.

### **KASICH UNVEILS 'UNANIMOUS' PROPOSALS TO CURB GUN VIOLENCE**

Saying he has to deal with the art of what's possible — what can pass the Republican-dominated General Assembly, Gov. John Kasich proposed six gun-law reforms on Thursday that he believes he can help Ohio avert some gun deaths.

#### **CRITICS SLAM MEDICAID WORK PROPOSAL**

Advocates, health-care providers and others slammed a state plan on Thursday that would require most non-disabled adults on Medicaid to work or lose their tax-funded health care.

#### **LAWMAKERS OFFER COUNTIES \$114.5 MILLION FOR VOTING MACHINES**

Counties would get nearly \$115 million in state money to replace aging voting machines in time for the 2019 election under a bill expected to pass the legislature this spring.

#### **REP. BOGGS NEEDS HELP TO QUALIFY FOR PRIMARY BALLOT**

State Rep. Kristin Boggs, D-Columbus, will need help from Republican Secretary of State Jon Husted in order to qualify to run as a write-in candidate for the May primary.

#### **MAYOR GINTHER ENDORSES CORDRAY FOR GOVERNOR**

Columbus Mayor Andrew Ginther on Thursday endorsed Richard Cordray, former Ohio attorney general and former director of the U.S. Consumer Financial Protection Bureau, in the Democratic primary for governor.

#### **EDITORIAL: WORKPLACE DRUG USE DEMANDS ATTENTION**

Drugs and workplaces don't mix. That's common sense, but now employers have more reasons to take a hard line against employee drug use.

### **Dayton Daily News**

[www.daytondailynews.com](http://www.daytondailynews.com)

#### **MORE THAN 131,000 OHIOANS GET PERMITS TO CARRY CONCEALED GUNS**

More than 131,000 Ohioans got their licenses last year to carry concealed weapons — 77,281 new ones and 54,064 renewals, according to Ohio Attorney General Mike DeWine.

## **THE PLAIN DEALER**

#### **\$114.5 MILLION PROPOSED FOR NEW OHIO VOTING MACHINES**

Ohio counties could soon get some money from the state to help replace aging voting equipment.

#### **PLANNED PARENTHOOD TO FOCUS ON OHIO RACES FOR U.S. SENATE AND GOVERNOR**

Planned Parenthood political organizations announced Thursday that they'll spend at least \$20 million in this year's elections, with a particular focus on gubernatorial and Senate races in Ohio and seven other states.

#### **OHIO GOV. JOHN KASICH PROPOSES 6 GUN POLICY CHANGES**

Tightening background checks for gun buyers and allowing "red flag" protection orders were among six gun violence policy recommendations made Thursday by a bipartisan panel assembled by Gov. John Kasich.

### **JUSTICE DEPARTMENT HASN'T DECIDED WHETHER TO PARTICIPATE IN OPIOID LITIGATION**

As U.S. Attorney General Jeff Sessions promised, the Justice Department on Thursday evening filed a "statement of interest" in the swath of lawsuits being heard in Cleveland that accuse drug manufacturers and distributors of heavily contributing to the nation's opioid epidemic.

## **THE ENQUIRER**

### **JOHN KASICH'S 'COMMONSENSE' GUN CONTROL PLAN: WOULD NEW OHIO GUN LAWS MAKE A DIFFERENCE?**

John Kasich wants to change Ohio's gun laws, touting support for "commonsense" measures from a handful of Republicans and Democrats.

## **THE BLADE**

### **KASICH PROPOSES GUN REFORM MEASURES**

Gov. John Kasich on Thursday unveiled a package of proposed gun law reforms to prohibit the sale of armor-piercing ammunition and third-party "strawman" sales of guns to people prohibited from having them.

### **PROPOSAL WOULD FUND NEW VOTING MACHINES**

Ohio would borrow \$114.5 million to help counties replace an aging fleet of voting machines in time by next year under a bill reworked Thursday.

### **EDITORIAL: RIGHT-TO-WORK INFRINGES ON EMPLOYERS**

Is it too much to ask for some consistency from time to time?

### **EDITORIAL: DENNIS KUCINICH LEADING ON GUN ISSUE**

Successful political campaigns sometimes catch a breeze they never counted on because of some unexpected occurrence that changes public attitudes between the time the candidates filed and the time the voters vote.

## **The Vindicator**

### **SCHIAVONI GETS THE MAHONING DEMOCRATIC ENDORSEMENT FOR GOVERNOR**

When it came to endorsing a candidate for governor, the Mahoning County Democratic Party overwhelmingly went for one of its own.



**From:** Finlay, Serena  
**Sent:** Monday, March 5, 2018 11:11 AM  
**To:** Paretti, Dominic  
**Subject:** Request for Co-Sponsorship – Paid Family and Medical Leave

**REMINDER-DEADLINE TO CO SPONSOR IS THIS FRIDAY AT 4PM**



**MEMORANDUM**

**TO:** All House Members  
**FROM:** Representative Janine Boyd and Representative Kristin Boggs  
**DATE:** February 5, 2018  
**RE:** Request for Co-Sponsorship = 6 Paid Family and Medical Leave

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We will soon introduce legislation to create the Ohio Family and Medical Leave Insurance Program. Today we chose to send this co-sponsor request as this date marks the 25<sup>th</sup> anniversary of FMLA (Family Medical Leave Act). This legislation will provide 12 weeks of family and medical leave benefits, which will permit individuals to care for a family member, bond with a new child, or address their own serious health condition.

Out of 178 countries worldwide, the United States is one of three that does not provide paid leave to new mothers. So far five states—California, New Jersey, New York, Hawaii and Rhode Island offer some sort of paid leave to men and women who provide care. The federal Family Medical Leave Act provides 12 weeks of leave for family and medical reasons. This time is unpaid and employers with fewer than 50 employees are exempt, which eliminates a large segment of workers. Ohio should lead on the issue of paid leave to grow our economy and allow working people to put family first.

The program will be under the purview of the Department of Job and Family Services. An individual would receive leave insurance benefits for: a health condition which makes him/her unable to perform their job duties; caring for a new child during after birth, adoption,

or foster care placement; caring for a child, parent, or spouse who has a serious health condition; or the individual is taking any other leave as authorized by the federal Family and Medical Leave Act. In order to be eligible for program benefits, an individual must file a claim with ODJFS; must have worked at least 680 hours during the base period; premiums have been withheld and remitted for at least one year; and the leave must be for the above-mentioned purposes.

Once established, program benefits will be paid by assessing premiums on employees. Employers will be required to deduct and withhold premiums from employee's wages. However, an employer may opt to pay the contributions on behalf of employees.

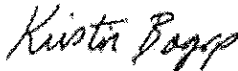
An employee who is covered by an employer policy or collective bargaining agreement that provides the employee with greater leave than that provided by the Family and Medical Leave Act may elect not to participate in the Program in accordance with rules adopted by the Director. An employee who elects to opt out of participating in the Program is not liable for any premium or contribution that would otherwise be due under the Program.

Working people in Ohio should not have to worry about losing their job or falling behind financially just to take care of a sick child or relative; address their own serious health condition; or care for and bond with their newborn child. Ohio cities like Dayton and Cincinnati are leading on leave. By allowing working people to put their family first, we can truly make Ohio a better place to live, work, and raise a family.

If you have any questions or would like to co-sponsor this legislation, please contact Dominic Paretti, at 614-644-5079 or via email at [Dominic.Paretti@OhioHouse.Gov](mailto:Dominic.Paretti@OhioHouse.Gov) and Serena Finlay, 614-466-1896 or via email at [Serena.Finlay@OhioHouse.Gov](mailto:Serena.Finlay@OhioHouse.Gov). **The deadline to co-sponsor is Friday, March 9 at 4:00pm.**



**Janine Boyd**  
State Representative, Ohio House District 09



**Kristin Boggs**  
State Representative, Ohio House District 18

**From:** Max.Behlke@ncsl.org

**Sent:** Monday, March 5, 2018 4:33 PM

**To:** Griffin, Lisa

**Subject:** Cap to Cap: Trump: New NAFTA Would Prevent Proposed Tariffs

**Follow Up Flag:** Follow up

**Flag Status:** Flagged

**Categories:** PRR



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